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DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

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SF  
3/31/97  
Special  
STEVEN D. NELSON  
DIRECTOR

**TELECOMMUNICATIONS COMMISSION**

**SPECIAL MEETING**

Monday, March 31, 1997 at 6:30 p.m.  
War Memorial  
401 Van Ness Avenue, Room 428

**AGENDA**

1. Roll Call

E. David Ellington  
Bonnie Engel  
Ernest Jackson  
John Lira  
Jan Masaoka

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2. Introductions

3. Selection of Commission President and Vice President

4. Consideration and possible action to approve: Commission Procedural Rules

- A. Staff Report: Ed Harrington, Controller and Acting Director of Department of Telecommunications and Information Services
- B. Public Comment
- C. Commission deliberation and action

5. Overview of laws and rules for City Commissioners: City Charter, Brown Act, Sunshine Ordinance

- A. Staff Report: Burk Delventhal, Deputy City Attorney
- B. Public Comment

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6. Consideration and possible action to approve: process for selection and recommendation to the Board of Supervisors of a not-for-profit corporation to manage the cable television public access channel
  - A. Staff Report: Steve Nelson, Director of Administrative Services, Deputy City Attorney
  - B. Public Comment
  - C. Commission deliberation and action
7. Overview of issues Commission may consider in future meetings
  - A. Staff Report: Steve Nelson, Director of Administrative Services and Julia Friedlander, Deputy City Attorney
  - B. Public Comment
8. Public Comment
9. Adjournment

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**SUNSHINE ORDINANCE**

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DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

**NOTICE OF SPECIAL MEETING**

Monday, March 31, 1997  
6:30 p.m.

War Memorial  
401 Van Ness Avenue  
Room 428

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The Commission agenda will include a public hearing on  
adoption of rules of order to govern Commission business.





DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

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1/97 WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

MINUTES  
of the  
**TELECOMMUNICATIONS COMMISSION**

Monday, March 31, 1997 at 6:30 p.m.

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War Memorial  
401 Van Ness Avenue, Room 428

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**1) CALL TO ORDER AND ROLL CALL**

The first meeting of the Telecommunications Commission was called to order by Controller Edward Harrington, Acting Director of the Telecommunications and Information Services Department, at 6:38 p.m.

Present:      Commissioner E. David Ellington  
                         Commissioner Bonnie Engel  
                         Commissioner Ernest Jackson  
                         Commissioner John Lira  
                         Commissioner Jan Masaoka

**2) INTRODUCTIONS**

Mr. Harrington began the meeting with introductions of various city officials present who will be helping the Commission:

Louise Renne, City Attorney  
Julia Friedlander, Deputy City Attorney (counsel to the Commission)  
Gerald Green, Director, Department of City Planning  
Susanna Montana, Planner, Department of City Planning  
Mark Primeau, Director, Department of Public Works  
Anne Kronenberg, Director of External Affairs, Department of Public Health  
Steven Nelson, Director, Department of Administrative Services  
Jill Lerner, Acting Secretary to the Telecommunications Commission

Primary staff contacts for Commissioners will be Jill Lerner, Steve Nelson, Julia Friedlander and Mr. Harrington.

3) **SELECTION OF COMMISSION PRESIDENT AND VICE-PRESIDENT**

On motion by **Commissioner Jackson**, seconded and carried, the Commission approved the selection of **Commissioner E. David Ellington** as president.

On motion by **President Ellington**, seconded and carried, the Commission approved the selection of **Commissioner Jan Masaoka** as vice president.

4) **CONSIDERATION AND POSSIBLE ACTION TO APPROVE: COMMISSION PROCEDURAL RULES**

A. Staff Report:

**Mr. Harrington** presented proposed rules for adoption by the Commission and requested that the Commission choose the date and time for the regular Commission meeting.

B. Public Comment:

1. Mike Freeman, member of Telecommunications Policy Committee and employee of CityWatch hoped that the Commission would hold meetings in either the Board of Supervisors Chamber (Rm. 404) or Committee Room (Rm. 410) because CityWatch has video cameras in those rooms and is able to film the Commission meetings for television viewing.

2. Zane Blaney, General Manager of CityWatch, supported the use of the Board of Supervisors meeting rooms because of the video capability.

C. Commission Deliberation and Action

[**Mr. Harrington** announced the arrival of Supervisor Sue Bierman and her legislative aide, June Gutfleisch, explaining their instrumental role in the creation of this Commission.]

**Commissioner Engel** stated her belief in the importance of having the Commission meetings broadcast; **Commissioner Lira** concurred. **Mr. Harrington** will speak to the Board of Supervisors about the possibility of using one of their public rooms.

The Commission agreed to establish the third Monday of the month at 5:30 p.m. as its regular meeting time.

On motion by **President Ellington**, seconded and carried, the procedural rules were approved and adopted.

5. **OVERVIEW OF LAWS AND RULES FOR CITY COMMISSIONERS:  
CITY CHARTER, BROWN ACT, SUNSHINE ORDINANCE**

A. Staff Report: Burk Delventhal, Deputy City Attorney

Mr. Delventhal made a presentation of the laws and rules and regulations that govern the City commissions; included in the discussion was the California Public Records Act as well as the above-mentioned laws.

President Ellington recognized Supervisor Sue Bierman who recounted the history of her involvement with telecommunications issues and the Telecommunications Policy Committee and wished the Commission well; she acknowledged the help of Zane Blaney and Deputy City Attorney Friedlander; she also stated her support Mr. Harrington in his request to the Board of Supervisors for the use of Rooms 404 or 410 for Commission meetings.

6. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE: PROCESS FOR  
SELECTION AND RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF A NOT-FOR-PROFIT CORPORATION TO MANAGE THE CABLE  
TELEVISION PUBLIC ACCESS CORPORATION**

A. Staff Report: Steve Nelson, Director, Department of Administrative Services and cable administrator for the City and County

Mr. Nelson presented a Request for Qualifications ("RFQ") to be discussed and approved by the Commission. The RFQ is for a qualified non-profit organization to assume control of the public access cable television channel and production facilities made available pursuant to the franchise agreement between the City and County of San Francisco and Television Signal Corporation, a subsidiary of TCI.

Deputy City Attorney Friedlander explained that San Francisco's newly-amended cable franchise calls for a non-profit to manage and control the public access television channels and production facilities.

Mr. Nelson reported that up to \$1.8 million is budgeted for the management of the PEG channels.

Mr. Nelson suggested that if the Commission votes to circulate the RFQ, a panel be assembled to include people with experience in PEG access issues, television-video arts and non-profit cable management who could review the responses and make recommendations to the Commission; the Commission would, in turn, make recommendations to the Board of Supervisors who would have final approval of the non-profit management corporation.

Mr. Nelson further stated that the RFQ could be circulated immediately and that the names for the review panel could be available for the next meeting; that he believed that the process is best served by opening it up to competitive bidding.

#### B. Public Comment

1. Patricia Vaughey, citizen: concerned that not one of the Commissioners have worked on behalf of neighborhoods.

2. Zane Blaney, Executive Director, SF Community Television Corporation: stunned at idea of RFQ; said that his corporation was established to manage public access television and that the expectation of the corporation and the community had always been that SFCTC would take over management and control from the franchisee.

3. Anne Kronenberg, Dept. of Public Health: chaired the Municipal Program Access Committee since 1991; expressed her frustration at working with the cable company while trying to get the city channel on the air; could not have done it without CTC.

4. Carol Roberts, former chairperson of the Telecommunications Policy Committee: wants Commission to define its goals; represents culmination of twenty years of work.

5. Michael Cuzzins, Bd. of Directors, CTC: believes CTC was meant to manage and control the public access channels.

#### C. Commission Deliberation and Action

Mr. Harrington told the Commissioners that they did not have to act on the RFQ at this meeting; that the City is pleased with CTC's handling of the government channel; but that the new commission is not obligated to be bound by decisions made ten and twenty years ago.

On motion of **President Ellington**, seconded and carried, the Commission approved a continuance for action on the RFQ until the April 21st meeting.

#### 7. OVERVIEW OF ISSUES COMMISSION MAY CONSIDER IN FUTURE MEETINGS

##### A. Staff Report: Steve Nelson, Director of Administrative Services

Mr. Nelson enumerated the following issues for future consideration:

1. \$1.8 million supplement--recommendations for allocations to the Board of Supervisors
2. The Franchise Agreement allows the City to continue showing the California and International channels; the public should be polled to gauge interest in those channels.

3. Single use facility vs. joint facility (public, education and government channels)
4. Upstream capability--potential to televise live; placement of sites
5. City does not have cable rate regulation; pros and cons on regulation; recommendations to the Board of Supervisors
6. Competitive video
7. Customer standards for TCI to review

Planning Department Report: Planner Susanna Montana distributed literature on the subject of Wireless Telecommunications Services Facilities Siting Guidelines; she requested thirty minutes of time at the next meeting to discuss the Siting Plan and other planning issues touching on telecommunications.

B. Public Comment

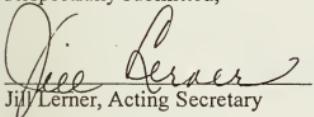
1. Patricia Vaughney: issues for Commission consideration
2. Niels Erich: chair, SPUR Telecommunications Task Force
3. Zane Blaney: suggestions for future agendas

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

The meeting was adjourned at 9:30.

Respectfully submitted,



Jill Lerner, Acting Secretary

**TELECOMMUNICATIONS COMMISSION MEETING**

March 31, 1997

**SUBMITTALS**

ZANE BLANEY: Sacramento Cable General Rate and Programming Disclosure, 2/1/95

SUSANNA MONTANA: Wireless Telecommunications Services (WTS) Facilities Siting  
Guidelines, 8/15/95, SF Dept. of City Planning,  
Draft Wireless Communications Facilities Issue Paper, 9/95,  
San Diego  
City of Milpitas Master Telecommunications Plan, 11/95  
City of Sunnyvale Telecommunications Policy, undated



DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.

MAYOR

STEVEN D. NELSON

DIRECTOR

1/22/97

Special

NOTICE OF SPECIAL MEETING

TELECOMMUNICATIONS COMMISSION

Tuesday, April 22, 1997  
5:30 p.m.

War Memorial  
401 Van Ness Avenue  
Room 410

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**TELECOMMUNICATIONS COMMISSION**

**SPECIAL MEETING**

Tuesday April 22, 1997 at 5:30

War Memorial

401 Van Ness Avenue, Room 410

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**AGENDA**

**1. CALL TO ORDER AND ROLL CALL**

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

**2. APPROVAL OF MINUTES**

A. Public Comment

**3. DIRECTORS' REPORTS**

A. Controller Edw. Harrington, Acting Director, DTIS  
1. Meeting Space  
2. Proposed Calendar of Matters for Commission Consideration  
3. Public Testimony



Telecommunications Commission

April 22, 1997

Page 2

**4. NEW BUSINESS**

- A. Economic Disclosure and Conflict of Interest Requirements Affecting the Telecommunications Commission
  - 1. Presentation: Deputy City Attorney Claire Sylvia
  - 2. Public Testimony
- B. Discussion of Cable Television
  - 1. History of the Franchise
  - 2. History of TPC and CTC
  - 3. Public Testimony
- C. Current Franchise Agreement
  - 1. Presentation: Deputy City Attorney Julia Friedlander
  - 2. Public Testimony

**5. OLD BUSINESS**

- A. Process for Selection and and Recommendation to the Board of Supervisors of a Nonprofit Corporation to Manage the Cable Television Public Access Channel (continued from 3/31/97 meeting)
  - 1. Public Testimony
  - 2. Consideration and Action

**6. CALENDAR MATTERS**

**7. PUBLIC COMMENT**

**8. ADJOURNMENT**



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WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

**MINUTES**

of the

**TELECOMMUNICATIONS COMMISSION**

Tuesday, April 22, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

**1. CALL TO ORDER AND ROLL CALL**

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The meeting was called to order at 5:40 p.m. by President Ellington.

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Present:      Commissioner E. David Ellington  
                    Commissioner Bonnie Engel  
                    Commissioner John Lira (left meeting at 7:45)  
                    Commissioner Jan Masaoka

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Absent:      Commissioner Ernest Jackson (excused)

**2. APPROVAL OF MINUTES**

On motion by Commissioner Engel, seconded and carried, the minutes of the March 31st meeting were approved.

**3. DIRECTORS' REPORTS**

**City Attorney Louise Renne** appeared to welcome the Commissioners and said she would like to return when the Commission discusses the Telecommunications Act and its profound impact on cities.

**Edward Harrington**, Controller and Acting Director of Department of Telecommunications and Information Services:

A.      Meeting space for the Commission: he will go to the Board of Supervisors and ask for a motion that will allow the Commission to use Room 410, the Board Committee Room, on a regular basis for commission meetings.



**B. Proposed Calendar Items**

**Mr. Harrington** provided topics for future meetings identified in Attachment A.

**Commissioner Masaoka** suggested that the Commission adopt a plan at the next meeting to develop the City Telecommunications Plan; she also requested a written report on the status of Telecommunications Department, outlining the budget, search for director, other pertinent information; **Mr. Harrington** stated that the June 16th meeting would be the appropriate time for that discussion since the Mayor presents his budget to the Board of Supervisors on June 1

**4. NEW BUSINESS**

**A. Economic Disclosure/Conflict of Interest**

Deputy City Attorney Claire Sylvia made a presentation on the economic disclosure/ conflict of interest laws and the Political Reform Act for the benefit of the new Commissioners.

**B. History of the Cable Television Franchise, TPC, and SFCTC**

Presentations were made to the Commission by people involved in San Francisco access issues; those reporting before the Committee were:

Roberto Estevez, Cable Television Committee president in 1974

Carol Roberts, vice chair of Telecommunications Policy Committee ("TPC") and founder of the education channel at City College

Zane Blaney, Executive Director of San Francisco Community Television Corporation and recent past chair of TPC

**1. Public Testimony**

Michael Singsen, member TPC 1984 - 88, former chair, Public Access subcommittee  
Shirletha Calhoun, Executive Director, Girls Against Gangs, SFCTC Board of Directors 1990 - 1995, presently member of CTC Community Advisory Committee

Andrea Torrici, former consultant to TPC

Art France, professor emeritus, SF State Broadcast and Electronic Communications Dept.  
former TPC board member

El St. John, producer at Channel 53, Public Access

Ron Williams, producer at Channel 53, Public Access

Greg Richardson, producer at Channel 53, Public Access

Sybil Boutelier, member TPC since 1992



C. Current Franchise Agreement

Deputy City Attorney Julia Friedlander reported on the recent amendments to the City's cable television franchise and franchise administration matters requiring Commission decisions or recommendations; these matters include: the transfer of authority for managing public access to a non-profit, allocation of PEG support grants among the public, educational and government access channels and selection of locations for installation of upstream transmission capability.

D. Public Testimony

Michael Couzens, CTC board member  
Zane Blaney  
Sybil Boutelier

5. **OLD BUSINESS**

A. Proposal for Selection of Non-Profit Public Access Management (continued from 3/31/97 meeting)

**Steve Nelson**, Director of the Department of Administrative Services and Cable Administrator, explained options before the Commission with respect to the proposed Request for Qualifications: the RFQ may be issued to initiate a selective competitive process; the Commission may select a non-profit now and make the recommendation to the Board of Supervisors; the Board of Supervisors may choose to ignore the Commission recommendation and do something else.

1. Public Testimony

Sybil Boutellier stated she was confused by the RFQ; that the Board of Supervisors had created CTC so that it would eventually take over public access.

**Mr. Harrington** explained that the Board did not create the CTC and that the City has no contract with CTC to operate public access channel; Board has small contract with CTC to encourage public access participation and a contract to operate the government access channel; it is the policy of the City not to give sole source contracts but to have an open bid process to select outside vendors for the City.

Zane Blaney stated that CTC is not opposing the RFQ; that CTC agrees that the Board did not create the CTC, nor did it ever designate the CTC by name to run the public access



channel; and that the CTC is willing to participate in the whatever process the Commission deems appropriate.

Ron Williams spoke for El St. John and said that she is forming a non-profit to participate in the RFQ ; that she supports the current staff at Channel 53.

Mike Freeman, SFCTC, expressed his concern about First Amendment issues and RFQ.

#### **B. Consideration and Action**

**Vice President Masaoka** moved that a recommendation be made to the Board of Supervisors to negotiate a sole-source contract with the San Francisco Community Television Corporation ("CTC") for management of the public access channel; and that the Commission not issue an RFQ at this time; **Commissioner Engel** seconded the motion; **President Ellington** expressed his support for the open bidding process and said he would vote against the motion.

**Vice President Masaoka** stated that she was in favor of bidding but felt that the City should recognize that there are some circumstances in which there are more compelling reasons not to do a bidding process and she believes they exist in this particular instance.

**President Ellington** stated that if the Commission were to vote for a sole-source recommendation, that the CTC should be required to submit a plan for management of the channel to open the negotiations.

**Vice President Masaoka** amended her motion to require the CTC to submit a management plan. She requested that staff prepare the wording for the motion.

#### **1. Public Testimony**

Michael Couzzens, Board member said CTC would provide a good package for the development plan.

Ron Williams, representing El St. John, asked why the Commission would recommend a sole-source and ignore other entities who are interested in competing for the public access contract.

**Vice President Masaoka** suggested that anyone who objects to the sole-source recommendation can take his or her concerns to the Board of Supervisors; that in general she believes that competitive bidding is a good idea but that there are some cases where it is not appropriate; that



currently there is an issue of speed and efficiency related to this particular contract; that City has no substantive complaints against CTC management and that it is not forever; her intent that on the next go-round it will be time to open it up.

**President Ellington** concurred; that while bidding should be open at a future date, since the Commission is new, SFCTC has a long track record and there have been no complaints regarding competency that it therefore makes sense to make this recommendation now.

**ACTION:** Vice President Masaoka's motion, as amended, was unanimously approved by members present: **Ellington, Masaoka, Engel.**

#### **6. CALENDAR MATTERS**

Vice President Masaoka requested that a Telecommunications Plan be calendared for a future meeting.

#### **7. PUBLIC COMMENT**

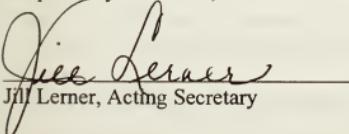
Sue Levitin, TCI Public Affairs Director, introduced herself to the Commission and said that TCI wants to provide a tour of the TCI facilities, as well as information for members of the Commission.

Valerie Castellana, TCI Government Affairs Division Director, reported that TCI was ready to turn over public access to whomever the City chooses.

#### **8. ADJOURNMENT**

There being no other business before the Commission, **President Ellington** adjourned the meeting at 8:45 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Jill Lerner, Acting Secretary



TELECOMMUNICATIONS COMMISSION  
LONG TERM CALENDAR OF ITEMS FOR DISCUSSION IN 1997

May 19 / June 16 Meetings

- Review and discuss the City's ongoing project to develop a new consolidated 9-1-1 dispatch center and communications system and new 800 MHz public safety radio system.
- Review and discuss TCI's announcement of its plan to increase cable television rates in San Francisco.
- Review and discuss the impact of the Telecommunications Act of 1996 on the City and ongoing litigation and regulatory proceedings under the Act that affect the City.
- Review and discuss the possibility of developing a municipal fiber optic network to provide telecommunications services between City buildings.
- Review and develop a recommendation to the Board of Supervisors about designating a non-profit corporation to operate and manage the public access cable television channel.

July 21 / August 18 Meetings

- Begin development of the City Telecommunications Plan.
- Review and discuss the City's ongoing project to develop a City Services Center in the renovated City Hall to provide centralized access to the services of City departments.
- Review and discuss the City's web sites and the availability of internet access to the public within San Francisco.
- Develop cable television customer service standards and complaint procedures.
- Review and discuss the allocation of PEG capital and operating grants provided under the amended TCI cable television franchise.
- Review and discuss the operations of the cable television government access channel and educational access channel.
- Review and discuss the contract between the City and the non-profit corporation designated to manage and operate the cable television public access channel.
- Review and discuss the development of a new PEG or public access production facility.
- Review and discuss whether the City wishes to cablecast the California Channel or the International Channel on any of the cable television PEG access channels.



### September 15 / October 20 Meetings

- Continue the Development of the City Telecommunications Plan.
- Identify and recommend to the Board of Supervisors 11 public facilities throughout the City in which to install upstream transmission capability to enable the transmission of live cable television programming on the cable television PEG channels.
- Review and discuss the operating policies for the cable television government access channel.

### November 17 / December 15 Meetings

- Continue the Development of the City Telecommunications Plan.





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**TELECOMMUNICATIONS COMMISSION**

1/19/97

**MEETING**

Monday, May 19, 1997 at 5:30 p.m.  
War Memorial  
401 Van Ness Avenue, Room 410

**AGENDA**

1. **CALL TO ORDER AND ROLL CALL**

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

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2. **APPROVAL OF MINUTES**

A. Public Comment

3. **COMMUNICATIONS**

- A. Invitation to Commission Members to Tour TCI Facilities
- B. Letter to Supervisor Sue Bierman from Commission President Regarding Public Access Recommendation, Future of Telecommunications Policy Committee and Motion for Use of Board Committee Room as Commission Meeting Room
- C. Letter to Board of Supervisors from Acting Secretary Transmitting Commission Recommendation for Public Access Not-for-Profit
- D. Letter from Mrs. Marie-Louise Dany re Channel 52 Program Schedule



Telecommunications Commission

May 19, 1997

Page 2

**4. DIRECTORS' REPORTS**

- A. Controller Edward Harrington, Acting Director, DTIS
  - 1. DTIS Budget and Organization Structure
  - 2. Commission Budget
  - 3. Commission Representation at Community Activities, Meetings and Events
- B. Public Testimony

**5. NEW BUSINESS**

- A. Impact of Telecommunications Act of 1996 on Cities
  - 1. Presentations by Deputy City Attorney Julia Friedlander
  - 2. Public Testimony
- B. TCI Rate Increases
  - 1. Presentation: TCI Representative
  - 2. Public Testimony
- C. Municipal Rate Regulation Authority
  - 1. Presentation by Deputy City Attorney Julia Friedlander
  - 2. Public Testimony
- D. City Telecommunications Plan
  - 1. Presentation: Examples of Telecommunications Plans Adopted by Other Cities: Deputy City Attorneys Traci Bone and Julia Friedlander
  - 2. Public Testimony

**6. CALENDAR MATTERS**

**7. PUBLIC COMMENT**

**8. ADJOURNMENT**

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**MINUTES**  
of the  
**TELECOMMUNICATIONS COMMISSION**

Monday, May 19, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

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**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 5:40 p.m.

<u>Present</u>	Commissioner E. David Ellington Commissioner Bonnie Engel Commissioner Ernest Jackson (arrived after Roll Call) Commissioner Jan Masaoka
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<u>Absent</u>	Commissioner John Lira (excused)
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**2. APPROVAL OF MINUTES**

On motion of Vice President Masaoka, seconded and carried, the minutes of the April 22nd meeting were approved.

**3. COMMUNICATIONS**

**A. Invitation to Commission Members to Tour TCI Facilities**

Deputy City Attorney Julia Friedlander informed the Commissioners that they were welcome to visit TCI as a group but since three or more commissioners together constitute a quorum, the TCI visit would have to be noticed as a special meeting of the the Commission with the public able to attend; the Commissioners agreed that they would go separately.

**B.** Letter to Supervisor Sue Bierman from Commission President Regarding Public Access Recommendation, Future of Telecommunications Policy Committee and Motion for Use of Board Committee Room as Commission Meeting Room

**Edward Harrington**, Controller and Acting Director of DTIS, reported that the Board of Supervisors adopted the motion for use of the Board Committee Room; secretary sent correspondence to Board saying that Commission had adopted motion recommending SFCTC as the nonprofit to manage the public access channel; president sent correspondence to Board transmitting a draft ordinance naming CTC the nonprofit manager of the public access channel.

**4. DIRECTORS' REPORTS**

**A. DTIS Budget and Organization Structure/ Commission Budget**

1. **Mr. Harrington** reported that he is working on the department budget which will be submitted to the Mayor and then on to Board of Supervisors; he provided an organization chart of the department as it currently exists; the chart also includes Commission and other elements (see Attachment A); the intention is to have the Telecommunications Department manage all of the city networks. Also discussed was form the department would take, new positions, timing.

2. **President Ellington** listed three issues in which he is interested: network facilities up and running, creation of committees, completion of the Telecommunications Plan itself.

3. Commission Representation at Community Activities, Meetings and Events

**Mr. Harrington** stated he had been asked to attend the Net Action meeting on May 27th; is willing to attend these meetings; he explained that it is typical for Commissioners to be invited to this kind of meeting but cautioned Commissioners when taking part in public meetings to clearly identify their personal opinions as distinct from actions of the Commission; **President Ellington** reported that he was invited but will decline attending such meetings for the next few months until he feels he is more knowledgeable as a Commissioner; he wants Commissioners attending events to coordinate with the Commission Secretary.

**5. NEW BUSINESS**

**A. Impact of Telecommunications Act of 1996 on Cities**

1. Presentation by Deputy City Attorney Julia Friedlander

Purpose of act to open all telecommunications markets to competition; under certain circumstances local telephone companies can enter into the market to provide long-distance telephone services and long-distance companies may enter the market to provide local television service; cable television operators will be able to provide local telephone and internet services and likewise, telephone companies will be able to enter the market to provide multi-channel video programming services in the same way that cable operators do today;

Cities have been active trying to protect local interests when the act was considered in Congress; provision that prohibits local and state laws that prohibit or have the effect of prohibiting any entity from providing telecommunications services.

Local governments were active in adding language that makes clear that that prohibition does not in any way interfere with local government authority to manage the public rights-of-way and to require compensation for the use of the rights-of-way; that management and compensation needs to be on a fair and reasonable and non-discriminatory basis, but there is language that clearly protects local authority over the rights-of-way; and that authority in SF is with the Department of Public Works.

Another provision of the act is the imposition of limitations on the exercise of local zoning authority with respect to the location of personal wireless services facilities; principal limitations are: local zoning authority cannot be exercised in such a way as to prohibit services and local zoning authority cannot be exercised on the basis of concerns about the health effects of radio frequency emissions; therefore the City is preempted in the area of health guidelines; cannot prohibit an entity from being able to provide services; Planning Commission has determined guidelines for siting of facilities.

Under the Telecommunications Act, the City cannot create its own radio frequency emission standards; but it can act to protect public health if entities are out of compliance with FCC guidelines.

The Act also imposes limitations on state and local authority to tax direct broadcast satellite services; it also imposes some limits on cable television rate regulation.

2. Susanna Montana, Planning Department appeared to report on Planning's telecommunications activities. Commission went through a year of public hearings;

addressing the issue of cell phones and PCS technology and citing of antennae; Commission addressed siting of physical facilities, neighborhood character, visual quality, quality-of-life issues, good neighbor policies, universal access, education, economic development, monitoring FCC standards, protocols for using products. The Planning Commission hopes that the Telecommunications Commission will address those issues and share information.

**B. TCI Rate Increases: Sue Levitin, TCI Manager of Government Relations**

Ms. Levitin explained: 1) that cable rates are regulated by the FCC in that the cable rate formula is set and governed by the FCC; cities have the option to review and certify these calculations although SF has not taken the final step to certify; 2) TCI adjusts its rates annually effective this June 1st; prior to last year, the FCC allowed quarterly increases; 3) in SF between 1993 and 1997 cable rates increased 3%; 4) rate increase has stayed with in the rules of the new franchise amendments.

Doug Schultz, general manager of TCI, presented a brochure that was sent out to all cable customers that explains the rate increases that take effect June 1st; they are based on inflation and increased programming costs; he reported that the rates increased 6.5%; TCI offers a lifeline rate with 20% discount for certain customers

Stacy Kelly, also of TCI, appeared to explain the rate increase, re calculation and timing of the adjustments, under the Rate Stability Agreement, part of the amended franchise, the rate increase could not go into effect until June 1, 1997; that from August 1, 1996 until May 1, 1997 there were no rate increases; consequently, Viacom/TCI had to forego interest on the rates; FCC rules dictate that TCI can adjust service rate for inflation and external costs; other bases for increases are copyright fees, FCC user fees, programming costs

**1. Public Testimony**

Richard Peterson, Z Publishing: thinks TCI needs to do more to justify rate increase; SF should see what other cities are getting

Doug Schultz, TCI responded that TCI will be offering a digital service that it is testing now.

Sybil Boutelier: stated that the City will have to pay for equipment to digitally compress the channels.

C. Municipal Rate Regulation Authority: Presentation by Deputy City Attorney  
Julia Friedlander

No entity has authority to regulate channels designated as premium channels. There is rate regulation of the Basic Tier and Extended Basic Tier. Re Basic Service, the FCC has adopted regulations and City has the authority to ensure that TCI is complying with those regulations; basic service over which the City can enforce the FCC regulations includes the must-carry stations, i.e., the PEG channels, the local broadcast stations; and any other programming that the cable operator chooses to carry in the Basic Tier.

Two different regulatory schemes: benchmark formulas and cost-of-service formulas. If city were to assess TCI's compliance, TCI would be able to choose the system; TCI would then submit documentation for evaluation; if not in compliance city has various remedies, rate rollbacks and refund orders.

Re Expanded Basic Service, the City has less authority; since enactment of the Telecommunications Act of 1996, citizens can only file complaints with the City and the only the City may file complaints with the FCC but it cannot make any decisions.

The City has taken steps to be certified to regulate rates after the 1992 act. If the City chooses to regulate rates or ensure compliance, it would need to send notice to the cable operator of its intention to do so and the operator would have to choose within 30 days how it wants to justify its rates and submit documentation demonstrating that it complies with the FCC rules. A decision to send such a notice to TCI would most appropriately come from the Board of Supervisors

Notice has not yet been sent because there has not been a Telecommunications Department or Commission, nor a staff to do the work and Board did not assign it to anyone.

**President Ellington** asked if TCI might be able to test its technology for expanding channels in SF. Mr. Schultz replied that SF is one of the largest TCI centers and therefore no a good place to test because the updating of the equipment would take too long. **President Ellington** wants to work with TCI to figure out how to have the latest technology and greatest amount of services for the SF market.

**Mr. Harrington** suggested that the department analyze the experience of other cities that have initiated rate regulation to determine whether the process has benefitted subscribers and the effort required to achieve those benefits. **President Ellington** asked **Mr. Harrington** to report back to the Commission about this analysis.

D. City Telecommunications Plan: Presentation by Deputy City Attorney Julia  
Friedlander

Presentation included a general overview of the plans of other jurisdictions and identification of the common elements in said plans. See "Summary of Municipal Telecommunications Policies and & Plans" (Attachment B).

1. Public Testimony

Richard Peterson: suggested using technology to offer city services

Susanna Montana, Planning Dept.: Planning Dept. is interested in working with this Commission on following issues which are to be included in the Telecommunications Plan: city as facilitator of economic development, universal access, how schools can work with private sector to have computers, privacy issues, public/private joint ventures.

Discussion of elements of Telecommunications Plan: infrastructure and equipment inventory, needs assessment, statement of city policies, infrastructure and equipment development plan; **Mr. Harrington** indicated that DTIS staff would prepare an RFP for a consultant for the Commission to review at the July meeting.

7. **CALENDAR MATTERS**

At the next meeting, **President Ellington** wants to discuss assignment of areas of specialization to each of the Commission members.

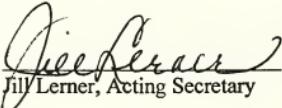
8. **PUBLIC COMMENT**

**Commissioner Jackson** expressed disappointment at the vote taken at the last meeting regarding the recommendation for the non-profit to manage public access; he stated that he would have voted against it had he been present; believed the Commission did a disservice to other groups prepared to apply; also concerned about the Commission appearing as a rubber-stamp body.

9. **ADJOURNMENT**

**President Ellington** adjourned the meeting at 8:20 p.m.

Respectfully submitted,

  
Jill Lerner, Acting Secretary



DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

F  
WILLIE L. BROWN, JR.  
MAYOR

30  
STEVEN D. NELSON  
DIRECTOR

16/97  
**TELECOMMUNICATIONS COMMISSION**

**MEETING**

Monday, June 16, 1997 at 5:30 p.m.  
War Memorial  
401 Van Ness Avenue, Room 410

**AGENDA**

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1. **CALL TO ORDER AND ROLL CALL**

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

2. **APPROVAL OF MINUTES**

A. Public Testimony

3. **COMMUNICATIONS**

4. **DIRECTORS' REPORTS**

A. Report on Cable Rate Regulation Analysis

B. DTIS Personnel



C. Communications Procedures

D. Public Testimony

5. **NEW BUSINESS**

A. Cable TV Educational Access Channel: SF Unified School District and City College of SF

1. Public Testimony

B. Update on Municipal Fiber Optic Network and City Services Center

1. Public Testimony

6. **OLD BUSINESS**

A. City Telecommunications Plan: Scope

1. Public Testimony

B. Commissioner Assignments

1. Public Testimony

7. **CALENDAR MATTERS**

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

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**SUNSHINE ORDINANCE**

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**DISABILITY ACCESS**

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DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

MINUTES [Corrected]  
of the  
TELECOMMUNICATIONS COMMISSION

Monday, June 16, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 5:40 p.m.

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Present      Commissioner E. David Ellington  
                 Commissioner Bonnie Engel  
                 Commissioner Ernest Jackson  
                 Commissioner John Lira  
                 Commissioner Jan Masaoka

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2. APPROVAL OF MINUTES

Acting Secretary Jill Lerner noted that the draft minutes were incorrectly dated May 18 and asked that the date be amended reflect the correct meeting date of May 19th. On motion of Commissioner Engel, seconded and carried, the minutes of the May 19th meeting were approved as corrected.

3. COMMUNICATIONS

There were no communications.

4. DIRECTORS' REPORTS

A. Report on Cable Rate Regulations

**Edward Harrington**, Controller and Acting Director of the Department of Telecommunications stated that he would present an analysis of the experience of other cities with regulating cable rates at the July Commission meeting.

B. DTIS Personnel

**Mr. Harrington** reported that the Mayor will be interviewing candidates for DTIS Director in the next few weeks. He announced that the Deputy Director positions for Applications Development, Network, Data Radio and Telephone, Policy, Planning & Compliance, Finance Administration are also open and that interviews for those positions will take place this summer. He submitted for the Commission's review draft job descriptions for the Director position as well as Director for Policy, Planning and Compliance along with Senior Policy Specialist, Research Assistant and Secretary. (See Attachment A)

C. Communications Procedures

**Mr. Harrington** recommended that communications to the Commission be listed on the back of the meeting agenda; if members are interested in particular items, they can request copies; if the subject is of general interest to the Commission, it can be calendared for the following meeting. The proposed procedure was acceptable to the Commission.

5. NEW BUSINESS

A. Cable TV Educational Access Channel: City College of San Francisco and SF Unified School District

1. Dr. Jacqueline Shadko, Dean, School of Liberal Arts and Castro/Valencia Campus of City College

Dr. Shadko explained the programming, function, mission and operation of Channel 52. Programming is provided by three collaborative partners: City College, SF Unified and San Francisco State University; out of 168 programming hours per week, SFUSD uses 17.5 hours, before and after school and certain evenings; City College uses 65.5 hours, 55 of which are telecourses (programs for class credit); and SFSU produces SCOLA, international broadcast news. (See Attachment B)

Channel 52 has operated on a budget of \$48,000 per year funded by .2% of the cable franchise fee; it pays the salaries of three operators at the head end which is located at City College; one-third of the TCI PEG capital grant of \$750,000 would permit necessary replacement of the head end; Channel 52 would like a third of the funds for operating and capital needs. City College support Unified's request for a separate channel. Other City College personnel addressing the Commission were Ms. Francine Podenski, Broadcast Electronic Media Arts and Mr. Phillip Brown, Instructor, Broadcasting.

2. Enrique Palacios, Special Assistant to the Superintendent, SF Unified School District

Mr. Palacios proposed giving the school district its own channel; He stated that Unified needs to grow; in addition to educating students, cable can be used for staff development, parent education; all schools are wired. Would like to have 24-hour programming; already has programming in place for teaching video production. Unified is presently funding three positions in cable programming.

3. Ana Perez, SFUSD, KALW/TV52 Program Manager

Unified serves 64,000 students, 6000 teachers and staff; students are interested in putting programs on television; twenty schools are presently producing video work. The needs are great, resources are available; Unified needs its own channel.

**Mr. Harrington** stated that CTC is prepared to present its plan and that the City should decide in the next few months how the TCI grant money is going to be allocated; the City must assess the needs of the PEG stations, with respect to production, equipment, on-going operations; staff will interview all three and find out what their needs are; staff will then make a recommendation to the Commission.

Zane Blaney, Executive Director of SFCTC, commented that a needs assessment was necessary; that funding for the PEG channels would come from TCI but also that the City as well as the private sector should contribute.

Doug Schultz, General Manager of TCI, supports concept of more PEG channels but cannot provide them under the current capacity; if TCI upgrades the system or provides digital compression more channels are possible; presently, there is a 55-channel capability.

5. **NEW BUSINESS**

A. Update on Municipal Fiber Optic Network and City Services Center

1. Fiber Optic Network: Presentation by Deputy City Attorney Julia Friedlander

A settlement agreement between Pacific Gas & Electric Company and the City and County that may affect telecommunications plans and facilities was recently introduced at the Board of Supervisors. (See Attachment C)

2. City Services Center: Presentation by Karen Hong, Department of Administrative Services

The center is being designed to centralize as many services as possible within City Hall; priority would be given to departments that were formerly housed in City Hall with second priority given to those departments with a high demand for city services. Currently departments are housed throughout the City; the intent is to enable citizens to transact most city business in one location. (See Attachment D)

**Mr. Harrington** explained that the City's goal is to issue an RFQ with as many companies as possible applying to provide technological models for the City; and hopefully have several consortiums of companies from which to choose.

Both **President Ellington** and **Vice President Masaoka** suggested that the City Services program integrate the existing WEB site technology.

3. Public Testimony

Michael Freeman, SFCTC: commented that Commission is asking the right questions re City Services project; people should be able to conduct business via internet from home or neighborhood city halls.

Sybil Bouteillier, Interdepartmental Working Group: explained group's collaboration policies regarding grant proposals.

6. **OLD BUSINESS**

A. City Telecommunications Plan: Scope

Discussion: **President Ellington** wants to see entrepreneurial activity investigated; wants to include a statement re minority vendors and suppliers; wants to include a vision element with respect to cutting edge technology; interested in establishing a voluntary advisory group, i.e., a committee of individuals with expertise to work with Commission and consultants.

**Commissioner Engel** suggested a public/private partnership be considered to create a comprehensive vision.

**Vice President Masaoka** suggested that rather than one consultant to create the plan, several consultants to work on pieces of the plan would be preferable with the plan being driven by City staff; that an advisory committee be formed to work on the plan.

**Mr. Harrington** noted that he envisioned outside consultants as supplementary to City staff; that the new deputies would be hired for their expertise in various telecommunications fields; that he thinks the president of the Commission or his designee should sit on the panel that hires the consultant; that the head of a voluntary advisory committee should be a citizen and not a staff person.

**President Ellington** prefers to appoint experts to the advisory committee rather than ask for applicants; the Plan will be on every agenda with public testimony ensuring public input.

**Commissioner Lira** wants experts included who specialize in social aspects of technology.

**Commissioner Jackson** agreed that staff should not lead the committee but there should be a staff representative from each functional area of the department.

Deputy City Attorney Julia Friedlander stated that the RFP and proposal for the structure of a volunteer advisory committee would be presented at the July meeting.

#### **B. Public Testimony**

Niels Erich, SPUR Telecommunications Task Force: presented a draft summary and analysis of issues that have come before the task force in the last 14 months; would like to have the report on the July Commission agenda to discuss it. (See Attachment E)

Richard Peterson, Z Publishing: suggested having separate task forces for each aspect of telecommunications; that each Commissioner should select one area; that City staff would have to be involved in the task forces.

C. Commissioner Assignments

As requested, **Mr. Harrington** presented a list of potential Commissioner assignments for areas of specialization to be discussed at the next meeting. (See Attachment F)

7. CALENDAR MATTERS

**Mr. Harrington** reported that there will be a briefing at the July meeting about the 911 Combined Emergency Center, as well as a status report on the hiring of staff; additionally to be discussed are the Telecommunications Plan and of Commissioner special interest assignments.

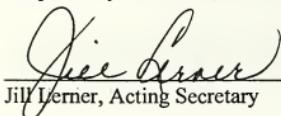
8. PUBLIC COMMENT

Zane Blaney, Executive Director, SFCTC: presented the Commission with the SFCTC "Plan for Public Access in San Francisco."

9. ADJOURNMENT

**President Ellington** adjourned the meeting at 8:40 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Jill Lerner, Acting Secretary



DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

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21/97

**TELECOMMUNICATIONS COMMISSION**

**MEETING**

Monday, July 21, 1997 at 5:30 p.m.  
War Memorial  
401 Van Ness Avenue, Room 410

**AGENDA**

1. **CALL TO ORDER AND ROLL CALL**

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

2. **APPROVAL OF MINUTES**

A. Public Testimony

3. **COMMUNICATIONS**

4. **DIRECTORS' REPORTS**

A. Telecommunications Resolutions Adopted by the U.S. Conference of Mayors (June, 1997)

B. Update on Proposed State Legislation

C. Local and State Government Advisory Committee to the Federal Communications Commission



D. DTIS Personnel: Staffing Update

E. Public Testimony

5. OLD BUSINESS

A. Report on Cable Rate Regulation Analysis

B. Telecommunications Plan

1. Advisory Committee

2. Consideration for Possible Approval of a Draft Request for Proposals for Consulting Services to Prepare a Strategic Telecommunications Plan

3. Commissioner Committee Assignments

4. Public Testimony

6. NEW BUSINESS

A. Staff Report on 911 Public Safety Emergency Communications Project

B. Staff Report on City WEB Site/Internet Access

C. Discussion of Whether and How the Commission Should Make Recommendations for City Positions on State and Federal Legislation and Regulatory Proceedings

D. SPUR Telecommunications Committee Report: Presentation by Wells Whitney

E. Public Testimony

7. CALENDAR MATTERS

8. PUBLIC COMMENT

9. ADJOURNMENT

## COMMUNICATIONS

1. 5/23/97: From Richard Peterson to Commission: suggestions, articles, etc.
2. 6/21/97: FAX from Commissioner Lira to E. Harrington; question re notice in The Independent of meeting of Department of Telecommunications and Information Advisory Committee
3. 6/23/97: Letter from Niels Erich, Owner, Clear Channel Media Services to Commissioner Ellington; resume re application to Telcommunications Advisory Committee
4. 7/2/97: Letter from Priscilla Hill-Ardoin, SBC Communications to President Ellington re request for equipment for BAVC
5. 7/7/97: Copy of response from E. Harrington to Commissioner Lira re notice in The Independent of meeting of Department of Telecommunications and Information Advisory Committee

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## SUNSHINE ORDINANCE

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DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

**MINUTES**  
of the  
**TELECOMMUNICATIONS COMMISSION**

Monday, July 21, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

**DOCUMENTS DEPT.**

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 5:36 p.m.

JUN 12 2002

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Present      Commissioner E. David Ellington  
                  Commissioner Bonnie Engel  
                  Commissioner Jan Masaoka  
                  Commissioner John Lira (5:40 p.m.)  
                  Commissioner Ernest Jackson (6:00 p.m.)

**2. APPROVAL OF MINUTES**

After **Mr. Harrington** noted that the minutes of last meeting approved as the June 16th minutes should be referred to as the May 19th minutes; with this correction the June 16th minutes were approved.

**3. COMMUNICATIONS**

**President Ellington** explained that all communications to the Commission since the last meeting are listed on the back of the agenda.

**4. DIRECTORS REPORTS**

**A.** Telecommunications Resolutions Adopted by the US Conference of Mayors in San Francisco, June 20-24. (See Attachment A); explanation by Controller and DTIS Acting Director **Edward Harrington**

**B.** Update on Proposed State Legislation (See Attachment B): report by Deputy City Attorney **Julia Friedlander**

**C.** Local and State Advisory Committee to the Federal Communications Commission (See Attachment C); Deputy City Attorney **Julia Friedlander** reported on this committee; it is composed of eighteen state and local officials from throughout the country one of which is City Attorney **Louise Renne**, who chairs the Wireless Subcommittee.

**D.** DTIS Personnel: Staffing Update

**Mr. Harrington** introduced present staff to the Commission: Judy Johnston, long-time Director of the Information Services Division of the Controller's Office (ISD); Jane Rubin, DTIS Deputy for Finance and Administration, former director of Ethics Commission; Deborah Vincent-James, executive director of COIT, Council on Information Technology, formerly EIPSC, Electronic Information Processing Steering Committee. Director and Deputy Directors position have not yet been filled.

**E.** Public Comment

Patricia Vaughay, Cow Hollow Neighbors In Action: spoke in favor of including neighborhood representatives in any advisory committees.

Christopher Witteman, attorney: would like the City's comments on federal regulations in digital form posted on a WEB site.

**5. OLD BUSINESS**

**A.** Report on Cable Rate Regulation Analyses

**Mr. Harrington** reported that his staff performed a rate regulation survey which showed that all major cities are doing some form of rate regulation; that most of them thought that it was fairly productive in early years but is less productive now because of changes in the way that rate regulation occurs at the federal level. (See Attachment D)

**President Ellington** asked Deputy City Attorney Julia Friedlander to review litigation recently reported between TCI and San Jose; Ms. Friedlander reported her belief that the litigation involved an issue that San Francisco in its amended franchise agreement.

**President Ellington** stated his belief that cable rate regulation in San Francisco would not be fruitful at this time, based on the results of the survey.

B. Telecommunications Plan

1. Advisory Committee

A proposed outline for the plan was distributed which included membership of an advisory panel and a description of its role. (See Attachment E) **President Ellington** explained that the panel is to be a resource for the for the consultants and DTIS staff, only a resource in the development of the plan; approval of the plan will come from the Commission who in turn will pass it on to the Board of Supervisors and the Mayor for final approval.

**President Ellington** added language to include neighborhood representation representatives, i.e., "representatives from specific community and/or neighborhood organizations; six members of the panel are to come from experts skilled in information technology.

Selection of panel members will be made by the consultants and the Commissioners. **President Ellington** stated that he will head up the panel. Members will serve as a public service, at no compensation. The panel will be named the San Francisco Telecommunications Plan Advisory Panel. **President Ellington** asked whether the panel would be subject to the Sunshine Ordinance. **Mr. Harrington** and Ms. Friedlander said they would report back to the Commission about alternative ways to structure the Advisory Panel.

2. Consideration for Possible Approval of a Draft Request for Proposals for Consulting Services to Prepare a Strategic Telecommunications Plan

**Mr. Harrington** presented a draft Request for Proposals which was explained by Deputy City Attorney Julia Friedlander. (See Attachment F); a draft consultant distribution list was also introduced. (See Attachment G) Ms. Friedlander reported that the final RFP would be ready to go out at the beginning of August; **President Ellington** asked the Commissioners to review the draft and send comments, revisions to staff. The amount of \$150,000 has been tagged for the proposal.

**Vice President Masaoka** suggested that the Commission work backwards with respect to the end date for the plan and have it ready by April by doubling up on the Commission meetings in March and April of 1998.

3.      **Commissioner Committee Assignments**

**President Ellington** asked **Commissioner Lira** to work on the Telecommunications Act and follow-up, FCC, California PUC, City Legislative issues; he asked **Commissioner Engel** to work on cable TV issues which include PEG access, rates and customer service; for City government, he asked **Commissioners Jackson and Masaoka** to concern themselves with COIT (Council on Information Technology, network, WEB site, standards, telephone and radio).

**Commissioner Jackson** expressed an interest in cable issues and **President Ellington** asked him to work with **Commissioner Engel** in that area.

Rather than establish a committee structure, **President Ellington** suggested that Commissioners research their topics and report back to the full Commission.

4.      **Public Testimony**

Patricia Vaughney, Cow Hollow Neighbors in Action: concerned that there is neither a request for neighborhood input, nor for businesses entities with good track records in the RFP; she also expressed concern at a lack of access to an internal city inventory

6.      **NEW BUSINESS**

A.      **Staff Report on 911 Public Safety Emergency Communications Project Report by 911 Project Director Mike Martin**

The current project encompasses a series of smaller components: 911 project itself (CAD AIS), facility, telephony, support, communications (800 MHz), operations/training, community; City had anticipated a budget \$130 to \$150 million; reviewing budget now since building has enlarged.

Organization structure: the project is housed in DTIS but reports directly to the Mayor; Director reports to a small group of executive sponsors, the police chief, fire chief, Controller Edward Harrington, Director of Administrative Services, Steve Nelson and OES Director, Lou Cannon; below Mr. Martin are the project managers for all of the components listed above; the building is under construction with a \$24.2 million budget; it is situated at Margaret Hayward Playground;

community support has been essential and extra efforts have been made to be sensitive to community needs; the support area is procurement, record-keeping; the 800 Mhz project essentially replaces the existing radio system; Mr. Martin believes that Motorola will provide the technology; believes that integration of all disparate elements is central to the project.

Deborah Vincent-James, Director of COIT and former interim E-911 Director reported that the City has modeled its E-911 Center on the Chicago Combined Emergency Command Center.

**B. Staff Report on City WEB Site/Internet Access by Rod Loucks, DTIS**

Mr. Loucks manages New Technology Research and Implementation; manages City-wide network on an interim basis; he reported on number of users for different types of City technologies and terminals; internet site was established in the fall of 1995; in November, 1996 the City began putting plans in place to provide a WEB site; an application server and software were ordered; Netcom is the server and secondary server is from Pac Bell; in April, 1997 of the City site underwent a major revision; today there are 34 departments on the site plus seven departments are housed on other servers; some departments chose to have their own, e.g., Library, Public Health, but DTIS is now going back and trying to better coordinate them.

**C. Discussion, Recommendations Regarding State and Federal Legislation and Regulatory Proceedings**

**Mr. Harrington** explained the mechanism that the City uses for taking positions; either the Board of Supervisors adopts a resolution in support or opposition or it goes to the

Legislation Committee composed of a representative from the Mayor's Office, the Board, the Controller, the City Attorney and two or three other departments; most commissions do not get heavily involved in taking positions; **Commissioner Lira** suggested that the Commission should be able to make recommendations that are timely to the Board. **Mr. Harrington** stated that staff will be bringing regulatory items to the Commission.

**D. SPUR Telecommunications Committee Report: Presentation by Wells Whitney**

The Commissioners received the report in their agenda packets and copies have been made available for the public; SPUR decided to deal with telecommunications issues a year ago and formed an advisory task force presided over by Niels Erich; purpose of the task force was two-fold: to start a public forum, bringing together people in the City who are interested in these issues and the second purpose was to raise these issues to the appropriate level within City government.

SPUR is interested in encouraging the entrepreneur, the small business user which the San Francisco Partnership's Multi-Media Task Force is dealing with; interested in assisting Commission in cultural, social issues, economic development, public-private memberships.

7. CALENDAR MATTERS

President Ellington requested a presentation on COIT; since **Mr. Harrington** and **President Ellington** will not be present at the August meeting, it was decided to calendar the presentation for the September meeting.

A discussion of cable issues is scheduled for the August meeting.

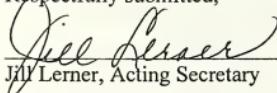
8. PUBLIC COMMENT

Sybil Boutilier: commended staff on RFP; concerned about public access issues and lack of neighborhood needs assessment with regard to the RFP

9. ADJOURNMENT

President Ellington adjourned the meeting at 8:40 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Jill Lerner, Acting Secretary



DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

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TELECOMMUNICATIONS COMMISSION

8/97

MEETING

Monday, August 18, 1997 at 5:30 p.m.

War Memorial

401 Van Ness Avenue, Room 410

AGENDA

1. CALL TO ORDER AND ROLL CALL

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

2. APPROVAL OF MINUTES

A. Public Testimony

3. COMMUNICATIONS

4. DIRECTORS' REPORT

A. Telecommunications Plan Update: Presentations by Jane Rubin, Deputy Director for Finance and Planning, DTIS, and Deputy City Attorney Traci Bone

B. Update on Allocation of Resources Among Public, Educational and Government (PEG) Cable Television Channels: Presentation by Steven Nelson, Director, Department of Administrative Services



- C. Update on the City's Actions to Make Its Computer Systems Capable of Recognizing Dates in the Year 2000: Presentation by Judy Johnson, Director, Information Services Division, DTIS
- D. Update on City Services Center: Presentation by Steven Nelson, Director, Dept. of Administrative Services
- E. Public Testimony

5. **NEW BUSINESS**

- A. Report from the Director of Administrative Services About Customer Service Complaints Received by the City From Cable Television Subscribers
- B. Public Hearing on Cable Television Customer Service Problems
- C. Report on City Procedures for Handling Cable Television Customer Service Complaints and Local Regulation of Cable Television Customer Service; Reports: Steven Nelson and Traci Bone
- D. Public Testimony
- E. Consideration of Recommendation to the Board of Supervisors Regarding Selection of Sites Throughout the City at Which Capacity to Transmit Live Programming Over the Cable Television PEG Channels Should Be Installed Pursuant to the TCI Franchise Agreement: Presentation by Steven Nelson
- F. Public Testimony

6. **CALENDAR MATTERS**

7. **PUBLIC COMMENT**

8. **ADJOURNMENT**

## COMMUNICATIONS

1. 8/1/97: From Deborah Vincent-James, Executive Director of the Council on Information Technology (COIT), to Commission: a) City-Wide 800 Mhz Radio System Project Master Agreement; b) City-Wide 800 Mhz Radio System Project Performance Specifications
2. 7/24/97: From Sybil Boutilier to Commission: Telecommunications Infrastructure Partnership "Vision Statement"

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## SUNSHINE ORDINANCE

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DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

**MINUTES**  
of the  
**TELECOMMUNICATIONS COMMISSION**

Monday, August 18, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

**1. CALL TO ORDER AND ROLL CALL**

Vice President Masaoka called the meeting to order at 5:53p.m.

**DOCUMENTS DEPT.**

<u>Present</u>	Commissioner Jan Masaoka Commissioner Bonnie Engel Commissioner John Lira (5:50 p.m.)	JUN 12 2002 SAN FRANCISCO PUBLIC LIBRARY
<u>Excused</u>	Commissioner E. David Ellington Commissioner Ernest Jackson	

**2. APPROVAL OF MINUTES**

By a motion by **Commissioner Engel**, seconded and carried, the minutes were approved as written.

**A. Public Testimony**

Mr. Leland Francois: suggested that the City provide the public with legislative alerts re telecommunications issues.

**3. COMMUNICATIONS**

Acting Secretary Jill Lerner explained that the two communications received since the last meeting were listed on the back of the agenda.

Out of courtesy to citizens present to testify on the issue of cable customer service complaints, **Vice President Masaoka** requested a motion to suspend the rules and take Item 5, New Business out of order. So moved by **Commissioner Engel**, seconded and carried, Item 5, relating to cable television customer service complaints, was taken out of order.

**5. OLD BUSINESS**

**A. Report from Steve Nelson, Director of Administrative Services About Customer Service Complaints Received by the City from Cable Television Subscribers:**

The Department of Administrative Services, formerly the Office of the the Chief Administrative Officer, has been responsible for monitoring cable television complaints and trying to resolve as many of those complaints as possible. Carla Condon of Administrative Services is responsible for taking complaints and working with TCI to resolve as many as possible.

**Mr. Nelson** provided the Commissioners with a log of TCI complaints comparing the number of complaints for the months of May, June, July, August, 1997 against the complaints during the same months in 1996. (See Exhibit A) **Mr. Nelson** believes that the vast majority of complaints are resolved expeditiously; there are cases where, because of technical considerations, there are confusing problems that take longer to be solved; some concerns that are never really addressed because they have problems that may not be able to be addressed through a complaint process; majority resolved within a two to three week period.

An e-mail address for complaints is available at "cable\_complaints @ci.sf.ca.us".

**Mr. Nelson** opined: that the increase in the number of subscriber complaints against TCI is partially due to publicity surrounding allegations against TCI; that there is not a large complaint base with TCI; that there are certain situations where TCI needs to improve.

**C. Report on City Procedures for Handling Cable Television Customer Service Complaints and Local Regulation of Cable Television Customer Service; Reports: Steven Nelson and Traci Bone**

**Mr. Nelson** continued his description of Ms. Condon's duties in resolving complaints; she has an established contact person at TCI and the complaints are resolved relatively quickly.

Deputy City Attorney Traci Bone presented an overview of legal framework governing San Francisco's ability to impose customer service standards on TCI. Congress, through the Cable Television Consumer Protection and Competition Act of 1992, directed the FCC to adopt nationwide, minimum customer service standards for cable operators; the rules adopted set specific requirements for cable operators as they relate to customer interaction, including telephone standards, appointment and service response time frames, written notice requirements and rules regarding billing disputes. Customer service, under these regulations, does not include rates; selection of programming is within the discretion of the cable operator; re rates, if the City chose to regulate the basic service tier, the City would be limited to confirming that TCI has complied with the FCC basic service tier requirements.

Ms. Bone then summarized the federal customer service rules adopted by the FCC. (See Attachment B) At the same time that it approved the TCI franchise agreement in January of this year, the Board of Supervisors passed a resolution adopting the FCC standards until such time as the City may adopt more stringent customer service standards. The City's authority to enforce the FCC standards became effective in June. Ms. Bone stated that if the Commission is interested in pursuing this issue, it may request the department prepare a monitoring and enforcement process for consideration at a future meeting.

#### B. Public Hearing on Cable Television Customer Service Problems

1. Lee Jewell, disabled, SSDI recipient: protested that SSDI recipients do not qualify for the Lifeline rate while SSI recipients do.
2. Zane Blaney, SFCTC and past member of the Telecommunications Policy Committee: provided a copy of an information sheet that the Sacramento Cable Commission required the local cable operator to include in its bill; includes such customer service information as program changes, billing policies and complaint processes.

**Vice President Masaoka** requested the department: 1) develop a proposal showing the cost of monitoring TCI's compliance with FCC standards; and 2) develop a proposal for creating an informational guide. **Commissioners Engel and Lira** concurred with the request. **Mr. Nelson** said that the proposals could be available for Commission review at the September meeting.

**E. Consideration of Recommendations to the Board of Supervisors Regarding Selection of Sites Throughout the City at Which Capacity to Transmit Live Programming Over the Cable Television PEG Channels Should Be Installed Pursuant to the TCI Franchise Agreement: Presentation by Steve Nelson, Director, Dept. of Administrative Services**

**Mr. Nelson** announced that the latest franchise agreement gives the City the ability to identify a number of upstream sites for insertion of programming into the cable system; four of those sites specified in the agreement: the War Memorial Veteran's Building, the Emergency Command Center at 1003 Turk Street, the new Main Library and City Hall when it reopens in 1999.

In a first cut, a number of sites have been identified in the City's real estate book which have sufficient meeting space to hold meetings of the Board of Supervisors, Board of Education, Community College Board and other public meetings that may be held in various communities throughout the City. (See Attachment C)

Using the proposed boundary lines for the new supervisorial districts, Mr. Nelson has tried to locate one upstream site in each of those districts, making sure that the chosen sites are ADA accessible. According to the franchise, these sites would have upstream capability either at the time of the rebuild of the cable system to fiber optics which has been put on hold, or by Jan. 1, 2000, whichever comes first.

Recommended sites are: Washington HS, Marin JHS, Chinatown CC. (2 yrs) or Jean Parker ES, A.P. Giannini HS., John Adams CC, Lowell HS, Mission HS, Mission CC (2 yrs), Southeast CC, Balboa HS., Moscone Center or Downtown Center of SFCC.

**F. Public Testimony**

1. Zane Blaney, SFCTC: suggested alternative sites of Fort Mason, Exploratorium, Academy of Sciences; that sites have potential for purposes other than public meetings

**Commissioner Engel** suggested that making a decision on the upstream sites at this meeting may be premature with **Commissioner Lira** in agreement.

2. Doug Schultz, General Mgr., TCI: agreed that time should be taken to choose the most appropriate sites correctly; and that it made more sense to choose sites concurrently with the upgrade of the system.

3. Mike Freeman, SFCTC: suggested that a Board of Supervisors hearing on sites would be appropriate; suggested consideration of sites in the cultural centers, rooftops and storefronts.

**Commissioner Engel** proposed that the possible upstream sites be considered at one or more public hearings during the consultation period for the Telecommunications master plan and that the sites be included in the plan under PEG access.

**Commissioner Lira** expressed support for the idea of using supervisorial districts to ensure that public has equal access.

**TCI General Mgr. Schultz** stated that TCI might be able to establish some of the sites at the present without waiting for the rebuild.

**Mr. Nelson** recommended that the Commission continue the item to the call of the Chair. The Commissioners agreed to revisit the issue in October.

### **3. COMMUNICATIONS**

Acting Secretary Jill Lerner explained that all communications received since the last meeting are noted on the back page of the agenda.

### **4. DIRECTORS REPORTS**

**A. Telecommunications Plan Update:** Presentation by Jane Rubin, Deputy Director for Finance and Planning, DTIS,

All developmental work on the RFP is completed and the RFP is posted on the WEB site; a notification letter was mailed to over 300 proposers; the department will be advertising; all proposals are due September 24th.

**B. Update on Allocation of Resources Among Public, Educational and Government (PEG) Cable Television Channels:** Presentation by Steven Nelson, Director, Dept. of Administrative Services

The City has contracted with an agency, Management Resources of Oregon, to assist the City in negotiating contracts for operation of the PEG channels; Sue Diciple and Carl Kucharski of Management Resources introduced themselves. Ms. Diciple announced that they will meet one-on-one with a number of stakeholders in public, education and government access as well





DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

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**TELECOMMUNICATIONS COMMISSION**

**MEETING**

Monday, September 15, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

**AGENDA**

1. **CALL TO ORDER AND ROLL CALL**

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

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2. **APPROVAL OF MINUTES**

A. Public Comment

3. **COMMUNICATIONS**

4. **COMMISSIONERS' and DIRECTORS' REPORTS**

A. Telecommunications Plan Update: E. David Ellington and Controller  
Edward Harrington, Acting Director, DTIS

1. Public Comment



B. Staff Update:

1. Commission Secretary - Bonnie Engel and Jane Rubin
2. Deputy Director - Ernie Jackson and Jane Rubin
3. Director - E. David Ellington and Ed Harrington
4. Public Comment

C. PEG Implementation Update - Bonnie Engel and Steve Nelson

1. Public Comment

D. Report on National Association of Telecommunication Officers and Advisors (NATOA) Conference - Ernie Jackson and Traci Bone

5. **NEW BUSINESS**

A. Council on Information Technology (COIT) Discussion

1. Strategic Plan for Information Technology
2. Implementation Update - Ed Harrington and Deborah Vincent-James

a. Public Comment

3. Discussion of Commission Retreat - E. David Ellington and Ed Harrington

6. **OLD BUSINESS**

7. **CALENDAR MATTERS**

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

## COMMUNICATIONS

1. 7/23/97: letter from Richard Rothman to the Commission re Year 2000 problem

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## SUNSHINE ORDINANCE

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DEPARTMENT OF  
**ADMINISTRATIVE SERVICES**

WILLIE L. BROWN, JR.  
MAYOR

STEVEN D. NELSON  
DIRECTOR

**MINUTES**  
of the  
**TELECOMMUNICATIONS COMMISSION**

Monday, September 15, 1997 at 5:30 p.m.

War Memorial  
401 Van Ness Avenue, Room 410

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1. **CALL TO ORDER AND ROLL CALL**

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President Ellington called the meeting to order at 5:42 p.m.

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Present      Commissioner E. David Ellington  
                 Commissioner Jan Masaoka  
                 Commissioner Bonnie Engel  
                 Commissioner Ernest Jackson  
                 Commissioner John Lira

2. **APPROVAL OF MINUTES**

By a motion by Vice President Masaoka, seconded and carried, the minutes were approved as written.

3. **COMMISSIONERS AND DIRECTORS REPORTS**

A.      Edward Harrington, Controller and Acting Director, DTIS, announced that the Request for Proposal for a consultant for the Telecommunications Plan was sent to over two hundred parties. Questions will be answered on the WEB site. The responses will be brought to the October meeting when the Commissioners should be able to choose the vendor.

B. Staff Update:

1. Commission Secretary - Bonnie Engel and Jane Rubin

Jane Rubin, DTIS Director of Finance and Administration, reported that Laura Devereaux will be joining the staff as Commission Secretary. Ms. Devereaux introduced herself.

2. Deputy Director - Ernie Jackson and Jane Rubin

Ms. Rubin that the position was posted on the internet and at the NATOA conference and advertised in local newspapers; one hundred fifty resumes have been collected; resumes will be screened by Ms. Rubin, Commissioner Jackson, Deputy City Attorney Julia Friedlander, possibly Mr. Harrington and the SF Partnership.

3. Director - E. David Ellington and Ed Harrington

Mr. Harrington reported that the Director position was posted at the NATOA conference, and is advertised on the internet; some candidates were interviewed by the Mayor's office in August and the search is continuing.

C. PEG Implementation Update - Bonnie Engel and Steve Nelson

Commissioner Engel reported that she and Commissioner Jackson toured the Emergency Command Center and the government access facility at the Main Library on August 1 with Zane Blaney, SFCTC. (See Attachment A) Commissioner Engel stated that she and Blaney would like to see the City provide funds that match or exceed the public access grant that is forthcoming from the cable operator. The anticipated cost for administering the PEG access is \$2-3 million. The report will be discussed at the next meeting when the PEG consultant's report on fund allocation and operation of the PEG access will be ready.

Steve Nelson, Director, Department of Administrative Services, stated that a staff recommendation for allocation of funds would be presented at the next commission meeting along with a timeline for implementing the consultant's recommendations.

Deputy City Attorney Julia Friedlander stated that the consultants and staff believed that it would be useful to explore if PEG channels might play a role in the City's project areas such as youth employment training and welfare to-work and whether incorporating these projects into the channels might assist the City in generating other sources of funding to increase the total available funding for the PEG channels

After consulting with Commissioners and others, including SFCTC, the a list was put together of individuals who have experience in the media arts world and in funding youth employment training and welfare-to-work; the group will provide assistance as a resource.

1. Public Testimony

Michael Couzens, SFCTC Board: wanted to know if an advisory board was to meet to review the PEG consultant's report.

Jackie Shadko, Dean, Liberal Arts, Castro-Valencia campus, CCSF, representing Channel 5: extended an invitation to Commissioner Engel to visit the access facilities at the Phelan campus.

D. Report on National Association of Telecommunication Officers and Advisors (NATOA) Conference - Ernie Jackson and Deputy City Attorney Traci Bone

Deputy City Attorney Bone and Commissioner Jackson both reported on the NATOA conference which they attended. NATOA provides an opportunity for local government officials and advisors to network and share experiences of working in the telecommunications industry; the Tucson conference brought together over five hundred local government officials, advisors and telecommunications consultants. In addition to Deputy City Attorney Bone and Commissioner Jackson, San Francisco had four other representatives at the conference: Ed Harrington, Julia Friedlander, Commissioner Ellington and Denise Brady, DPW.

4. NEW BUSINESS

A. Council on Information Technology (COIT) Discussion

1. Strategic Plan for Information Technology

Mr. Harrington gave a brief history of the City's strategic plan for information technology. Vice President Masaoka requested that a designated Commissioner of the Telecommunications Commission be given a non-voting membership at COIT and that all minutes of COIT meetings and its committee meetings be copied to the Commissioners. President Ellington agreed with her request. Mr. Harrington stated that it was workable.

2. Discussion of Commission Retreat - E. David Ellington and Ed Harrington

Mr. Harrington explained that retreats provided a more informal setting for meetings; the Commission may meet on a weekend for a half-day or full day while still including the public.

With the exception of Vice President Masaoka, the Commissioners agreed that the retreat should take place on a weekend.

5. CALENDAR MATTERS

Mr. Harrington announced that the agenda for the October meeting would include the Telecommunications Plan, PEG update, staffing update and planning of the retreat.

6. PUBLIC COMMENT

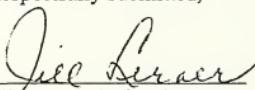
Sybil Boutellier: requested that the Telecommunications Infrastructure Partnership Report be calendared for the October meeting. President Ellington agreed.

Margie Marks, President, Local 9410, Communications Workers of America: reported that Pacific Bell is disbanding two work groups in San Francisco as a result of the merger with Southwest Bell and many workers will be losing their jobs; she expressed hope that the City would consider the laid-off workers in the welfare-to-work plans.

7. ADJOURNMENT

President Ellington adjourned the meeting at 7:00 p.m.

Respectfully submitted,

  
Jill Lerner, Acting Secretary



Department of Telecommunications and Information Services  
City and County of San Francisco

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TELECOMMUNICATIONS COMMISSION

MEETING

Monday, October 20, 1997 at 5:30 P.M.  
War Memorial Building  
401 Van Ness Avenue, Room 410

AGENDA

1. CALL TO ORDER AND ROLL CALL

Commissioner E. David Ellington, President  
Commissioner Jan Masaoka, Vice President  
Commissioner Bonnie Engel  
Commissioner Ernest Jackson  
Commissioner John Lira

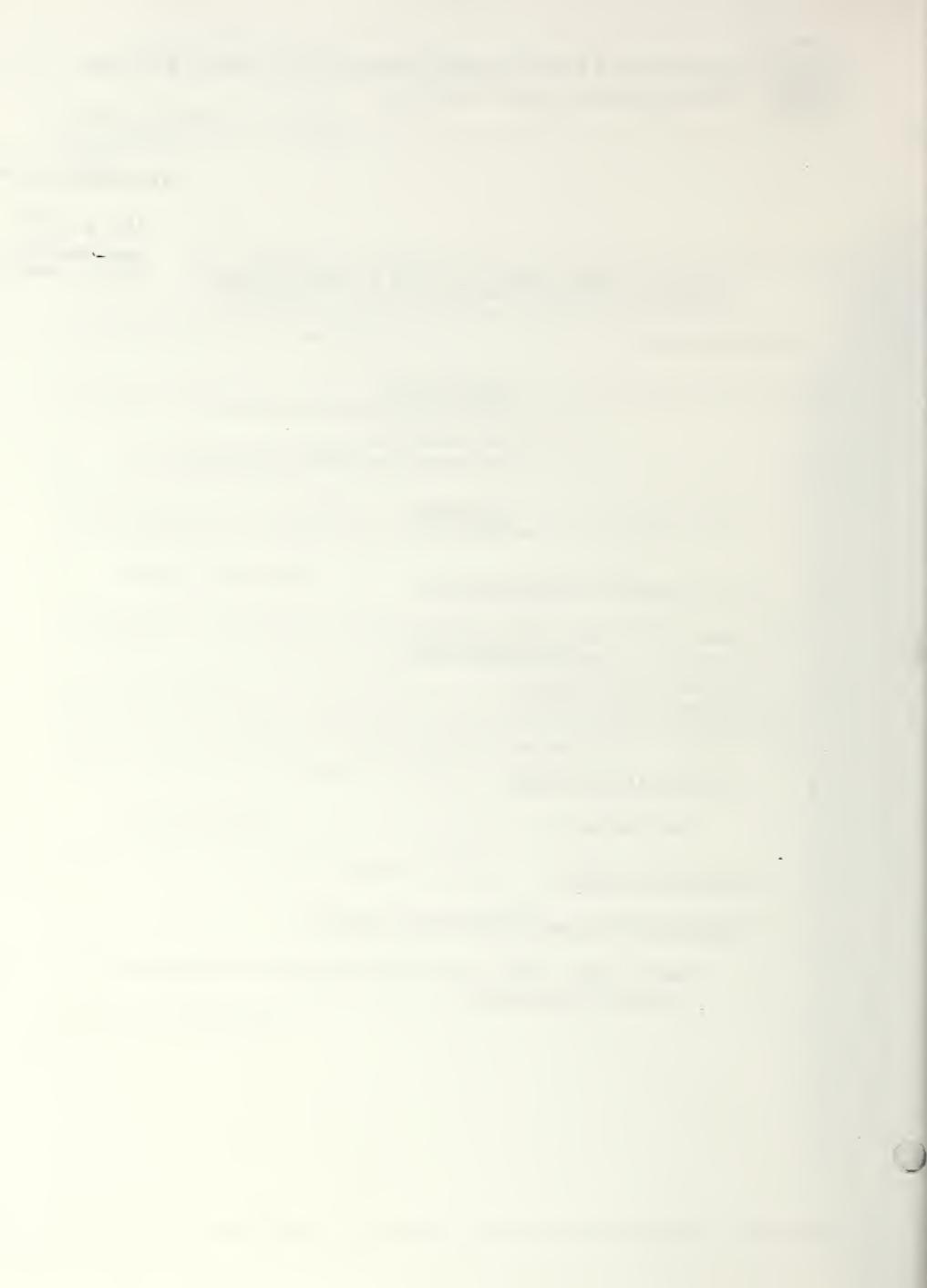
2. APPROVAL OF MINUTES

A. Public Testimony.

3. COMMUNICATIONS

4. COMMISSIONERS' and DIRECTORS' REPORTS

A. Staffing Update: Deputy Director for Planning, Policy, and Compliance.  
Commissioner Ernest Jackson.



Telecommunications Commission

October 20, 1997

Page 2

5. NEW BUSINESS

- A. Telecommunications Plan Consultant (action to appoint consultant). Commissioner E. David Ellington and Edward Harrington, City Controller and Acting Director, DTIS.
- B. PEG Consultant Report (action to adopt report and recommendations). Commissioner Bonnie Engel and Edward Harrington.
- C. Discussion of Commission Retreat and cancellation of regular meeting. Commissioner E. David Ellington and Edward Harrington.
- D. Telecommunications Infrastructure Partnership - Vision Statement. Report by Sybil L. Boutilier, Special Projects & Grant-Funded Programs, San Francisco Public Library.

6. OLD BUSINESS

- A. Update on the Consideration of Recommendation to the Board of Supervisors Regarding Selection of Sites throughout the City at Which Capacity to Transmit Live Programming Over the Cable Television PEG Channels Should Be Installed Pursuant to the TCI Franchise Agreement. Steve Nelson, Director of Administrative Services.

7. CALENDAR MATTERS

8. PUBLIC COMMENT

9. ADJOURNMENT

## COMMUNICATIONS

1. 10/14/1997: A Vision and Configuration Strategy for PEG in San Francisco.  
Prepared by: Sue Diciple and Carl Kucharski of Management Resources,  
Portland, Oregon.

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## SUNSHINE ORDINANCE

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**Department of Telecommunications and Information Services  
City and County of San Francisco**

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**TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**MINUTES**

**MONDAY, OCTOBER 20, 1997  
THE WAR MEMORIAL BUILDING  
401 VAN NESS AVENUE  
ROOM 410**

**REGULAR MEETING  
5:30 P.M.**

**COMMISSIONERS**

**E. David Ellington, President  
Jan Masaoka, Vice President  
Ernest Jackson  
Bonnie Engel  
John Lira**

**DOCUMENTS DEPT.**

**JUN 12 2002**

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**Edward Harrington  
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES**

**Laura A. Devereaux  
COMMISSION SECRETARY**

**ORDER OF BUSINESS**

**1. Call to Order**

The meeting was called to order by President Ellington at 5:39 P.M.

**2. Roll Call**

**Present:** E. David Ellington  
Jan Masaoka  
Ernest Jackson  
John Lira  
Bonnie Engel

**3. Approval of Minutes**

On motion to approve the Minutes of the September 15, 1997 Regular Meeting, unanimously approved.

**A. Public Testimony**

No public comment.

**4. Communications**

*A Vision and Configuration Strategy for PEG in San Francisco.* Report prepared by Sue Diciple and Carl Kucharski of Management Resources, Portland, Oregon.

**5. Commissioners' and Directors' Reports**

**A. Staffing Update: Deputy Director for Planning, Policy, and Compliance. Commissioner Ernest Jackson.**

Commissioner Jackson reported that 9 finalists had been selected from approximately 200 applications. A candidate has been selected out of the 9, but since they are still checking backgrounds, it would not be appropriate to name that person at this time.

The job descriptions for the other 3 Deputy Director positions are currently being written and will be announced as early as next week.

President Ellington asked the Commissioners if they had any comments. There were none.

## 6. New Business

### A. Telecommunications Plan Consultant (action to appoint consultant). President E. David Ellington and Edward Harrington, Acting Director, DTIS and City Controller.

President Ellington thanked everyone involved in the interviewing process. He said that the process was quite exhaustive.

Mr. Harrington said there were 9 RFP responders, but only 4 were interviewed. All of the respondents' bids were rejected and the RFP will be reposted.

The 4 groups interviewed have been contacted and informed of their opportunity to respond again.

Vice President Masaoka asked Mr. Harrington what the anticipated timeline would be to get an RFP consultant.

Mr. Harrington said he expected the rebid back by November 3rd, and then the screening panel would look them over within a week. A selection could be made at the November 17th regular meeting. He also said that new respondents can bid.

### B. PEG Consultant Report (action to adopt report and recommendations). Commissioner Bonnie Engel and Edward Harrington.

Ms. Diciple submitted a report to the Commission entitled *A Vision and Configuration Strategy for PEG in San Francisco*, which is identified here as Attachment A.

Ms. Diciple said she wanted to outline the methodology that Management Resources used to conduct the report. Generally when they do these reports, it's due to a renewal of the franchise, but in this case there has been a transfer of the franchise. A report based on the ascertainment of needs is legally required during the time of re franchising. In this case there was no needs assessment or ascertainment conducted because it was not required for the transfer of the franchise. Therefore, the analysis is primarily based on conversations with people who have been involved with PEG in San Francisco.

Ms. Diciple stated that there are funds available for capital and for the operation of PEG channels. Both funds lumped together total about \$1.1 million for capital with another \$400,000 to set up a facility. The operating budget includes: \$450,000 from the cable company and the 0.2% of the 5% of the franchise fee which has historically been divided between PE & G.

Challenges for PEG in San Francisco:

1. There is not an abundance of money.
2. San Francisco has a history of separate PE & G stakeholders. Public Access, Education Access, and Government Access have operated as 3 very distinct entities.

Conflicts:

1. Dividing the money. The past view was to divide the money equally (1/3, 1/3, 1/3).
2. There is no Public Access presence outside of what exists in the cable company. Therefore, if the money is divided up, there won't be any significant Public Access presence.

Recommendations made by Management Resources:

1. The Advisory Committee envisioned a high profile PEG presence in San Francisco. They saw a collaboration not just among PE & G but with other media arts and multi-media organizations into a really vibrant presence on the channel. This could be accomplished by co-location with such organizations, or by sharing some of the facility costs such as studio space.
2. They recommend a confederated PEG that doesn't put channels and resources with specific stakeholders. A confederated PEG would prevent duplication in administrative facilities, equipment, maintenance, scheduling, engineering, etc.

They further recommend that because of the history of a separate PE & G in San Francisco, if we do not confederate -- do not split the funds. We should fund Public Access with the money that is available.

Public Access is very service, outreach, and training intensive. As a rule of thumb, throughout the country about 60% of the funds go to Public Access. Government Access in San Francisco seems to be well-staffed and funded. It can continue to be funded as it is now. Educational Access has 2 stakeholders: the San Francisco Unified School District (SFUSD) and City College.

Sites:

1. John O'Connell High School: The SFUSD is skeptical about co-locating a P into an E facility mainly because this would be mixing adults with children.
2. City College: The campuses of Evans and Phelan don't meet PEG criteria. If a PEG facility is located on a school campus, it should be central to city life.
3. San Francisco Public Library: The space is too small, and not configured for a PEG facility.
4. Brooks Hall: This was the recommendation of the Advisory Panel. The downside of Brooks Hall is the expensive ADA upgrade.

Commissioner Engel made the recommendation to accept the report by Management Resources as a Commission, but delay action to a future meeting after we hear from the various PEG panels and get the City's perspective.

Commissioner Engel submitted her *Memo* to the Commission, listed here as Attachment B. It encompasses notes from the 10/15/97 stakeholders' meeting.

### **1. Public Testimony.**

Vice President Masaoka asked Commissioner Engel if she intended to introduce resolutions for action at tonight's meeting. Commissioner Engel said she hoped to postpone any action.

#### **Public Access:**

Zane Blaney, Executive Director of SFCTC, agreed that the stakeholders need more time (until the November or December regular meeting) to digest the consultants' report. He hopes that the City and the Board of Supervisors will increase the 0.2% current franchise fee.

#### **Education Access:**

Jacqueline Shadko, Ph.D., Dean, School of Liberal Arts at City College, said that public access, government and education had examined the mission of PEG from 3 points of view and found that they are actually one in terms of mission.

Cheryl Fabio-Bradford, Station Manager at Channel 52, said part of the problems the PEG stations are going through relates to the economic climate that we are all going through. She has seen major allocations of resources and personnel at both City College and the SFUSD. Ms. Fabio-Bradford commented that City College has been collaborating with many of the media arts organizations referred to in the consultants' report.

Ana Perez, SFUSD, said they are willing to cooperate. She said that over the last couple of months there has been collaboration between Public Access, City College and SFUSD. They are also talking about training community members in television production and having that count as a City College course. Their main concern, however, is having a PEG access channel in schools which would result in mixing adults with kids.

Commissioner Engel asked Ms. Perez to meet with Mr. Harrington to get information about communities that have a combined PEG.

#### **Public Access:**

Gregory Richardson, Public Access Producer, spoke in favor of Public Access.

Cynthia Christcole, Producer, spoke in favor of Public Access.

Francine Podenski, Chair, Broadcast Electronic Media Arts at City College, said her biggest concern is over the 0.2% franchise fee approved by the City for community access. She said that it was her understanding that most cities provide the community access channels 2% of the franchise fee to operate. She wanted to know why we can't come up with operating fees that at least match other cities in the nation in this area.

Bob Weaver, a volunteer at Channel 53 City Visions, spoke in favor of Public Access.

Roberto Esteves, Acting Chief at the San Francisco Main Library, said he feels some hope that by the access users, stakeholders, and citizens talking together to create a vision we can all agree upon a strategic plan that will enable us to tap into all the rich resources we have available in San Francisco.

Niels Erich, a San Francisco resident and cable subscriber, said he has a strong personal interest in the City having a vibrant PEG presence. He stated that a needs assessment is very important. We have to know as a community why this is important, why this is an asset, and what we can do with it. He said that the City should revisit the 0.2% contribution from the franchise fees.

#### **Government Access:**

Mr. Harrington stated that compared to other channels, the government channel has had more than a shoestring budget on which to operate. The government channel also has greater potential, not the least of which is the opening up of the refurbished City Hall and a lot of things related to that.

Commissioner Jackson said that there must be a needs assessment in order to come up with a business plan that will work for the 3 entities involved. The other issue we should focus on is the increase of the franchise fee contribution which was not addressed in the report by Management Resources.

Ms. Diciple said Management Resources thought it was their role to address the question of what the City of San Francisco can do within the existing resources dedicated to PEG. If you were to look at the contract, to the additional contract to government, plus the 7 City staff members who work on government programming on the City's payroll, you would probably be getting closer to 1% of the franchise fee.

Mr. Harrington commented that the City and County of San Francisco has been putting the franchise fee money into the general fund. This fund helps pay for public health, MUNI, and other services.

President Ellington thanked Commissioners Engel and Jackson for their work on PEG. He expects the stakeholders to have their recommendations ready for the November 17th regular meeting.

Mr. Harrington asked the Commission if they could officially accept the Management Resources report. President Ellington agreed and asked Commissioner Engel to make a motion to accept the report. Commissioner Engel made a motion to accept the report on PEG access issues from Management Resources.

REPORT ACCEPTED, BUT NOT APPROVED: AYES -Ellington, Engel, Masaoka, Lira, and Jackson.

**C. Discussion of Commission Retreat and Cancellation of Regular Meeting. President E. David Ellington and Edward Harrington.**

President Ellington and Mr. Harrington concurred that the following items will be discussed at the November 17th regular meeting:

- PEG Consultant Report (action to adopt report and recommendations) by Commissioner Engel and Ed Harrington.
- Appointment of a consultant for the Telecommunications Plan to be present at the meetings of December 6, 1997 and December 15, 1997.

December 6, 1997: Special Meeting.

December 15, 1997: Regular Meeting.

Commissioner Jackson referred back to the consultants' report realizing it has been accepted, but the continued role of the advisory group had not been addressed.

Commissioner Engel said that the providers had not yet met with that advisory group.

President Ellington asked if there was any public comment. There was none.

**D. Telecommunications Infrastructure Partnership - Vision Statement. Report by Sybil L. Boutilier, Special Projects & Grant-Funded Programs, San Francisco Public Library.**

Ms. Boutilier, Member of the Telecommunications Vision Task Force introduced herself, but asked the Commission if they would first hear from Valerie Castellana. The Commission agreed to hear Ms. Castellana first.

Valerie Castellana, Division Director, Government Affairs at TCI, stated that she is a member of the Telecommunications Infrastructure Partnership (TIP). TIP was established in 1995. It consists of solution-oriented representatives from all sectors.

Ms. Boutilier provided the Commission with the following handouts:

*Telecommunications Infrastructure Partnership - Vision Statement*, which is identified here as Attachment C, and *Linking Bay Area Communities*, which is identified here as Attachment D. Ms. Boutilier discussed *Linking Bay Area Communities*. She said that TIP has a lot of information they would be glad to present to a couple of the Commissioners in more detail if they would like to meet with them.

Ms. Boutilier introduced Donald Vial. Mr. Vial is an Officer for the Alliance of Public Technology. He stated that his background is that of a regulator having presided over much of the restructuring of our energy and telecommunications utilities at the California Public Utilities Commission.

President Ellington asked Mr. Vial about his availability for the Commission's Special Meeting. Mr. Vial said he would be available.

Ms. Boutilier introduced Linda Perry of TIP. Ms. Perry said that TIP wants to be a resource to the Commission.

President Ellington asked for public comment. There was none.

#### 7. Old Business:

##### **A. Update on the Consideration of Recommendation to the Board of Supervisors Regarding Selection of Sites throughout the City at Which Capacity to Transmit Live Programming Over the Cable Television PEG Channels Should Be Installed Pursuant to TCI Franchise Agreement. Report by Steve Nelson, Director of Administrative Services.**

Steve Nelson, Director, Department of Administration, said that at the August meeting they made a presentation and had listed out several possible sites. Mr. Nelson said what they had in mind were fairly large meeting places in each of the proposed supervisorial districts where large-scale meetings could be held. They came up with a combination of Community College and SFUSD facilities so that there could be a double use of the facilities.

Mr. Harrington told the Commissioners that he gathered from the discussion that they would like to continue this item to the call of the chair. And when there was enough information from a variety of resources it could be brought back to the Commission's attention.

Commissioner Masaoka asked if there was any downside to waiting that long.

Julia Friedlander, Deputy City Attorney, stated that currently there is no downside. But a downside could develop if TCI reinitiates the rebuild of the cable system in San Francisco. If that happens it might be imperative to make decisions quickly and coordinate with the rebuild process.

President Ellington asked if there were any other comments. There were none.

## 8. Calendar Matters

November 17, 1997 Agenda:

- Staffing Update.
- Selection of a Telecommunications Plan Consultant.
- Setting the site for the December 6, 1997 Special Meeting.
- PEG: Government and Education's recommendations ready to present to the Commission.
- Report on the Pacific Bell/SBC merger and if it has affected citizens of the City and County of San Francisco. Report by Ms. Margie Marks, President of the Communications Workers of America.

## 9. Public Comment

Ms. Margie Marks, President of the Communications Workers of America, (CWA) Local 9410, submitted a handout to the Commissioners entitled *Communications Workers of America*, which is identified here as Attachment E. She said that Pacific Bell and SBC promised CPUC and the City that if the merger was approved, jobs would stay here and Pacific Bell/SBC would have a presence here. She said the City and County of San Francisco was originally opposed to the merger, but after meetings between Pacific Bell and the Mayor, the City and County withdrew its opposition.

Joann Leong, Pacific Bell employee for 20 years and CWA member, told the Commission that since the merger she feels that her future at Pacific Bell is uncertain.

Rosa Penate, Pacific Bell employee for 27 years and CWA member, commented on offices closing, jobs going away, relocation, and forced retirement.

Shadow Moyer, Pacific Bell employee and Union Shop Steward, said the company has not initiated any layoffs, but they are trying to find other positions for employees within the company. The problem is if the employee doesn't like the new job, they are out of luck.

Commissioner Lira asked if this has been brought up to the Board of Supervisors.

Ms. Marks said that they had met with individual members of the Board of Supervisors. Supervisors Ammiano and Medina are going to call for a hearing on it.

Ms. Friedlander said that the City objected to the SBC acquisition with Pacific Bell because of some concerns about its impact on the City and that there were agreements about it. She said she would be happy to help the department investigate to see if those agreements have or have not been met and report back to the Commission.

Mr. Harrington said he would speak with Board members to see if there is interest in a joint hearing with the Commission, or we could defer to the Board on this matter.

President Ellington said this is right on point for the Telecommunications Commission.

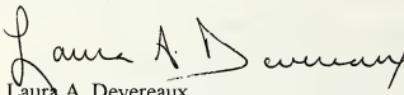
Commissioner Lira suggested the Commission write the Board of Supervisors a letter stating that we are in support of an investigation.

Mr. Harrington announced the date and time of an Economic Development Transportation and Technology Committee hearing.

#### **10. Adjournment**

The meeting was adjourned at 8:25 P.M.

Respectfully submitted,

  
Laura A. Devereaux,  
Secretary to the Telecommunications Commission



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11/17/97

Department of Telecommunications and Information Services  
City and County of San Francisco

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## NOTICE

### REGULAR MEETING OF THE

### ~~TELECOMMUNICATIONS COMMISSION~~ ~~CITY AND COUNTY OF SAN FRANCISCO~~

Monday, November 17, 1997 at 5:30 P.M.

The War Memorial Building  
401 Van Ness Avenue, Room 410

### AGENDA

DOCUMENTS DEPT.

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PUBLIC LIBRARY

#### 1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President  
Jan Masaoka, Vice President  
Commissioner Ernest Jackson  
Commissioner Bonnie Engel  
Commissioner John Lira

#### 2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the October 20, 1997 Regular Meeting of the  
Telecommunications Commission.

-Public Testimony.

#### 3. COMMUNICATIONS

#### 4. COMMISSIONERS' AND DIRECTORS' REPORTS

A. Staffing Update: Deputy Director for Planning, Policy, and Compliance.  
Status Of The Deputy Director Positions For: Maintenance and Service;  
Network Services; Applications Development. Commissioner Ernest  
Jackson and Jane Rubin, Deputy Director of Administration.

-Public Testimony.



5. **NEW BUSINESS**

- A. Setting a Site for the December 6, 1997 Special Meeting.  
President E. David Ellington and Edward Harrington, Acting Director, DTIS and City Controller.  
-Public Testimony.
- B. Hearing to Consider the Impact of the Pacific Bell/SBC Merger on the Citizens of the City and County of San Francisco. Commissioner John Lira.  
-Public Testimony.

6. **OLD BUSINESS**

- A. Telecommunications Plan Consultant (action to appoint consultant).  
Continued from the meeting of 10/20/97. President E. David Ellington and Edward Harrington.  
-Public Testimony.
- B. Hearing to Consider Responses to the Report Prepared by Management Resources, "A Vision and Configuration Strategy for PEG in San Francisco." Continued from the meeting of 10/20/97. Commissioner Bonnie Engel and Edward Harrington.  
-Public Testimony.

7. **CALENDAR MATTERS**

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**



COMMUNICATIONS

1. Letter dated 10/14/97 from Mayor Willie L. Brown, Jr. to Michael Sechman, regarding Mr. Sechman's video presentation of San Francisco as a virtual city on the web. Mayor Brown suggested that Mr. Sechman forward a copy of his video and package to President E. David Ellington.
2. Letter dated 10/22/97 with Attachment to the Commission from Mr. Donald Vial, Chair, office of the California Foundation on the Environment and the Economy (CFEE). His letter discusses the vision statement of the Telecommunications Infrastructure Project in Oakland.
3. Invitation received on 10/30/97 from Hewlett-Packard to President E. David Ellington, inviting him to a reception on 11/11/97, which will focus on the company's future direction of its consumer business.
4. Invitation received on 10/30/97 from Jones Memorial Methodist Church to the Commissioners, inviting them to a fundraiser on 11/14/97, which will support the construction of a new multi-purpose facility for the church located in the Western Addition.
5. Invitation received on 11/3/97 from TCI to the Commission, inviting them to a reception on 12/3/97 to celebrate TCI's contribution to San Francisco's Government Access Television Studio.
6. The Commission received a Work Plan on 11/5/97 from the California Foundation on the Environment and the Economy (CFEE), regarding their Regional Telecommunications Project in Oakland. The Work Plan was prepared by Mr. Donald Vial and Mr. Norman Jayo.
7. Letter received on 11/7/97 from the Oceanview, Merced Heights, Ingleside (OMI)-Community Action Organization to President E. David Ellington. The letter pertains to the organization's interest in developing a local area network with high speed Internet access, utilizing City owned conduit and/or fiber optic cable.
8. Letter received on 11/10/97 from Mr. Douglas Schulz, General Manager at TCI, to the Commission, regarding the Fifth Circuit Court Decision Regarding Franchise Fees - City and County of San Francisco.

### SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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### DISABILITY ACCESS

Room 410 is wheelchair accessible. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness, #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142. There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. Assistive listening devices are available for use and the following services are available upon request 48 hours in advance of this meeting. For American Sign Language interpreters, use of a reader during a meeting or a large-print copy of an agenda, contact Laura Devereaux at (415) 554-5684.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

## MINUTES

MONDAY NOVEMBER 17, 1997  
THE WAR MEMORIAL BUILDING  
401 VAN NESS AVENUE  
ROOM 410

**REGULAR MEETING**  
**5:30 P.M.**

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## COMMISSIONERS

**E. David Ellington, President  
Jan Masaoka, Vice President  
Ernest Jackson  
Bonnie Engel  
John Lira**

Edward Harrington  
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES

**Laura A. Devereaux  
COMMISSION SECRETARY**



**ORDER OF BUSINESS****1. Call to Order**

The meeting was called to order by President Ellington at 5:37 P.M.

**2. Roll Call**

**Present:** E. David Ellington  
Jan Masaoka  
Bonnie Engel  
Ernest Jackson  
John Lira

**3. Approval of Minutes**

On motion to approve the Minutes of the October 20, 1997 Regular Meeting: unanimously approved.

**A. Public Testimony**

No public comment.

**4. Communications**

All communications are listed on page 3 of the Agenda.

**5. Commissioners' and Directors' Reports**

**A. Staffing Update: Deputy Director for Planning, Policy, and Compliance. Status of the Deputy Director Positions for: Maintenance and Service; Network Services; Applications Development. Commissioner Ernest Jackson and Jane Rubin, Deputy Director of Administration.**

Commissioner Jackson reported that the applicant who had been identified for Deputy Director of Planning, Policy, and Compliance, had decided to pursue other interests and withdraw. They will be looking at applications of the other finalists and hope to come to a decision within a few weeks.

Jane Rubin, Deputy Director for Administration, reported that they had completed the position descriptions and postings of the other three Deputy Director positions.



The jobs had been posted in the major bay area newspapers and several different ethnic and local newspapers, and also appear on a number of Web sites. As of today we have received 54 resumes for Deputy Director of Applications Development; 70 resumes for Deputy Director of Network Services; and 45 resumes for Deputy Director of Maintenance and Service. She and Commissioner Jackson will review the resumes and narrow them down to a reasonable number of people and start the interviewing process. There are also some internal candidates that will be considered.

President Ellington suggested that we use email to advertise the more technical positions.

President Ellington asked the Commissioners if they had any comments. There were none.

**5. NEW BUSINESS**

**A. Setting a Site for the December 6, 1997, Special Meeting.  
President E. David Ellington and Edward Harrington, Acting  
Director, DTIS and City Controller.**

Edward Harrington reported that the site reserved for the Special Meeting is at Treasure Island, Conference Room (2nd Floor) in the Administration Building from 9:00 A.M. to 1:00 P.M. He asked the Commissioners to approve the site.

The only item on the Agenda will be a discussion on the Telecommunications Plan.

President Ellington asked the Commissioners if they had any other comments. There were none.

**B. Hearing to Consider the Impact of Pacific Bell/SBC Merger on the  
Citizens of the City and County of San Francisco. Commissioner  
John Lira.**

Commissioner Lira briefly reiterated that at the 10/20/97 meeting, Margie Marks, President, Communications Workers of America (CWA), appeared before the commission and presented CWA's concerns regarding the Pacific Bell/SBC merger in terms of losing jobs in California and the Bay Area specifically. The Commission sent a letter to the Board of Supervisors asking them how we should move forward with this matter.

Vice President Masaoka asked Commissioner Lira if he had spoken with members of the Board of Supervisors.

Commissioner Lira said he had spoken with members of the Board of Supervisors.



Margie Marks, President, Communications Workers of America (CWA), said a meeting has been arranged between SBC and the CWA.

Commissioner Lira suggested that any further discussions between the Commission and Ms. Marks should wait until after her meeting with SBC, at which time they could determine if further discussion is necessary.

President Ellington asked if there was any public testimony on item 5B. There was none.

## 6. OLD BUSINESS

### A. **Telecommunications Plan Consultant (action to appoint consultant). President E. David Ellington and Edward Harrington.**

Mr. Harrington commented that 11 groups had responded to the RFP and that 4 joint venture teams had been interviewed. Initially all bids were rejected and these groups were notified. Three of the original groups responded to the rebid. Of these three groups, a local vendor, Media Connections Group, has been selected. Mr. Harrington asked President Ellington to approve Media Connections Group as the preferred vendor.

Mr. Harrington introduced Ted Liebst, a principal partner of Media Connections Group. Mr. Liebst stated that the Media Connections Group has three principals from different disciplines of telecommunications. His own background is in banking and finance. Mr. Liebst talked about the approach his firm will take in developing the Telecommunications Plan. He answered questions from the commissioners. Vice President Masaoka asked Mr. Harrington and President Ellington what they liked about this firm's proposal. President Ellington and Mr. Harrington stated that the firm's expertise is great, and its experience in finance, technology, and legal matters is desirable. Commissioner Engel and Vice President Masaoka asked Mr. Liebst if the firm can work under a tight timeline. Mr. Liebst assured the commissioners that Media Connections Group could deliver a product by June, 1998. He will discuss this further in the December 6th meeting.

Mr. Harrington commented that at the December 6th meeting, we will discuss the expectations and the deliverables.

Vice President Masaoka made a motion to accept the firm and its proposal. Commissioner Engel seconded the motion. The motion was approved unanimously.

### B. **PEG Consultant Report (action to adopt report and recommendations). Commissioner Bonnie Engel and Edward Harrington.**

Commissioner Engel read a section from the Ordinance creating the Telecommunications Commission. She stated that some of the PEG providers are unhappy about the Conclusion of the Diciple Report.



Jacqueline Shadko, Dean, School of Liberal Arts at City College, handed out the Collaborative Draft Document on Public Education, and Government Access Cable Television, which is identified here as Attachment A. Ms. Shadko discussed the report with an emphasis on "accessibility". The Collaborative Public, Education, and Government Mission Statement is: The shared mission of the Public, Educational and Government Access Cable Channels in San Francisco is to provide the residents of San Francisco access to civic information, learning opportunities, and avenues of expression. These agencies agree to share grant funds.

Zane Blaney, Executive Director of SFCTC, distributed a handout, "Community Television Corporation Report and Recommendations," which is identified here as Attachment B. Mr. Blaney repeated that at the October 20th meeting, the Diciple Report was accepted by the Commission, but not approved. He said that they have come up with an alternative. He also urged the immediacy of a decision; otherwise, the money is just sitting. Mr. Blaney spoke about collaboration with the Park Service to open a Media Center at Fort Mason. Michael Couzens and Aaron Vinck shared blueprints of the Herbst Pavilion and the Cowell Theater.

Mr. Blaney handed out a report, "Public Access Current Use," identified here as Attachment C. He talked about the Public Access Budget for a start-up year and budget for a normal year. Mr. Blaney asked to see the 0.2% increased. Commissioner Jackson said that the 0.2% won't be increased; it cannot be increased, because it is in the General Fund. Mr. Blaney reiterated that the 0.2% must be increased. PEG will not work without it. We cannot just survive on TCI money. He suggested that the Commission ask the Board of Supervisors for more money.

In response to an inquiry from President Ellington, Mr. Harrington commented that a request for a lot more money will not be well received. Funds for education is probably outside all possibility. Public Access may get more funds from outside sources as well as from the City. He asked everyone to keep in mind that the Mayor had said that there will be no supplemental appropriation for non-emergency situations.

Vice President Masaoka suggested to Mr. Blaney to not expand his services, but to try to work with the money we have.

Cheryl Fabio-Bradford, Station Manager at Channel 52, made a video presentation. Ms. Fabio-Bradford stated that outside producers have given abundantly to Channel 52. She said we need more money for putting educational programs on the air. She talked about the programs that Channel 52, CCSF and SFUSD would like to produce with the shared resources (mentioned in Attachment A). She mentioned that Educational Access has a fairly modest need for money. In response to an inquiry from President Ellington, Ms. Fabio-Bradford said that their proposed resolution is currently in a draft form, but the final version should be ready by December 8th and will be included on the December 15th agenda.



Commissioner Lira asked Ms. Fabio-Bradford if they have asked for money from state and federal agencies. She replied that they will aggressively pursue all grant moneys.

Mr. Harrington told the Commissioners that the budget in Attachment A - "PEG Budget, 1999 Year 2 Operation Funds" needs to be fleshed out.

Commissioner Lira complimented Ms. Fabio-Bradford and Commissioner Engel for their work.

Mr. Blaney handed out "Current Operations Funding" for Citywatch, Channel 54, which is identified here as Attachment D. Mr. Blaney then presented a slide show about how "you do a lot with a little." His slide show presented the status of Channel 54.

Commissioner Jackson thanked and complimented Mr. Blaney for the creative job he has done on a shoestring budget.

Francine Podenski, Chair, Broadcast Electronic Media Arts at City College, reiterated their agreement to a "shared approach." She said that they would also like to share maintenance. She showed a map that reflects six different locations; the facilities they want to make available to the public.

#### **A. Public Testimony:**

Mike Freeman talked about other potential Access users who lose out or who are not included.

Michael Couzens stated that we are losing \$35,000 per month due to delays in making decisions.

Vice President Masaoka said that she would like to see the cogent points brought out: 1) Creation of a Steering Committee 2) Transferring management of Public Access to CTC 3) Allocation of funds 4) Funding, as separate items.

Vice President Masaoka suggested presenting a plan which does not revolve around supplemental funds. Commissioner Jackson told Vice President Masaoka that he would like to see what he saw at NATOA. He supports quality programming by "E" and "G." President Ellington added that if you want a world-class telecommunications network, you have to pay for it.

There were no public comments.



**7. Calendar Matters**

- Telecommunications Plan - December 6: more discussion

December 15, 1997, Agenda:

- CWA vs. SBC/Pacific Bell
- PEG Consultant Report
- Michael Sechman & Associates Video

**8. Public Comment**

None

**9. Adjournment**

The meeting was adjourned at 7:50 P.M.



NOV 25 1997

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TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO  
AGENDA

AND NOTICE OF SPECIAL MEETING  
SATURDAY, DECEMBER 6, 1997, 9:00 A.M.  
TREASURE ISLAND

ADMINISTRATION BUILDING, CONFERENCE ROOM, 2ND FLOOR  
SAN FRANCISCO

Please note change of location for this meeting only.

Please be advised that this is a Special Meeting of the Telecommunications Commission,  
and there will be no action taken on any item listed on this Agenda.

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President  
Jan Masaoka, Vice President  
Commissioner Ernest Jackson  
Commissioner Bonnie Engel  
Commissioner John Lira

2. Telecommunications Plan - Discussion of Scope and Timing of Plan.

3. PUBLIC COMMENT

4. ADJOURNMENT

## SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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## DISABILITY ACCESS

The location of this meeting is wheelchair accessible. Assistive listening devices are available for use and the following services are available upon request 48 hours in advance of this meeting. For American Sign Language interpreters, use of a reader during a meeting or a large-print copy of an agenda, contact Laura Devereaux at (415) 554-5684.

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## **DIRECTIONS TO THE TREASURE ISLAND CONFERENCE ROOM**

Go east on the Bay Bridge to the Treasure Island turnoff (left side). Go to the guard gate and tell them you are attending this meeting. Proceed through the gate to the first large Administration Building to the right. Enter the building through the door on the right (as you face the building); the conference room is on the second floor.



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# TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## MINUTES

SATURDAY, DECEMBER 6, 1997  
Treasure Island, Administration Building,  
Conference Room, 2nd Floor  
San Francisco

SPECIAL MEETING  
9:00 A.M.

COMMISSIONERS

E. David Ellington, President  
Jan Masaoka, Vice President  
Bonnie Engel  
Ernest Jackson  
John Lira

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Edward Harrington  
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES



## **ORDER OF BUSINESS**

### **1. Call to Order and Roll Call**

The meeting was called to order by President Ellington at 9:02 A.M..

**Present:**      E. David Ellington  
                    Jan Masaoka  
                    Bonnie Engel  
                    Ernest Jackson  
                    John Lira

### **2. Telecommunications Plan - Discussion of Scope and Timing of Plan**

President Ellington and Mr. Ed Harrington started the discussion with remarks on goals for today's planning session.

The first topic for discussion was the timing of the issuance of the Telecommunications Plan. Since the original timeframe had contemplated 18 months, one choice was that the Plan would be issued in 18 months, which would be June, 1999. Vice President Masaoka believed that was too long. The possibility of an interim report was discussed. The Commission asked staff to provide additional thoughts at the January Commission meeting.

The Commissioners provided general thoughts on aspects of the Plan. Commissioner Jackson noted that the plan must be "evergreen."

After considerable discussion, President Ellington called for public comment.

### **3. Public Comment**

Chris Beaver of the Noe Valley Families Against Antennas spoke about health and safety concerns related to cell phone antennas. He expressed concern over any delay in issuing the Plan. Judy Irving, Wells Whitney, Barry Eisenberg, and Libby Kelly expressed similar concerns.

Margie Marks of the Communication Workers of America spoke in favor of the universal access. She also noted the telecommunications providers' responsibility to the community for job, etc. John Bardis expressed his concerns on the lack of interim controls while the Plan was being developed.



Sybil Bouteilier expressed the opinion that telecommunications is a two-way street. The community needs to be served; the delivery of information is not the whole idea.

Mike Freeman advocated for a detailed inventory of all City assets, including video capability.

The Commission then took a break from 10:25 A.M. to 10:50 A.M.

## **2. Telecommunications Plan - Discussion of Scope and Timing of Plan**

President Ellington set the agenda for the remaining time. The Commission decided to focus on setting goals and objectives for the Plan. These ideas are shown on Attachment "A".

The Commission directed staff to schedule the cellular antenna siting issue on the January Commission agenda. The Commission also directed staff to bring a calendar for producing the Telecommunications Plan to the January meeting.

## **3. Public Comment**

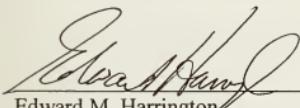
President Ellington again called for Public Comment.

John Bardis gave his view of "Community".

## **4. Adjournment**

The meeting was adjourned at 12:33 P.M.

Respectfully submitted,



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Edward M. Harrington  
Acting Director, Department of Telecommunications and  
Information Services



ATTACHMENT A

**TELECOMMUNICATIONS MASTER PLAN**

NEEDS IDENTIFIED AT DECEMBER 6, 1997 MEETING  
TREASURE ISLAND

Following is a list of the needs identified by members of the Telecommunications Commission, the City's staff and the public at the Commission's meeting held December 6, 1997. The needs are set forth in the manner and in the order they were recorded. It was agreed that the order does not necessarily reflect the degree of importance of a need.

For purposes of the discussion, it was agreed that a need would be identified as an "internal" or City Government Need if the City of San Francisco was a party to the exchange of information.

City Government Needs

- Department Head Interviews (Telecommunications Liaison)
- Base Network
  - Voice
  - Video
  - Data
- Centralized vs. Decentralized Networks
- Owned vs. Leased Networks
- Dedicated Funding
- Compensation Opportunities
- Need Trained Work Force
- Need Technology to be Usable by Public
- More Efficient City Work



- Use Technology to:
  - Deliver New Services
  - Deliver in New Ways
- Network Must Support Mission Critical Systems
- Network Must be Scalable
- Network Must be Based on Standards
- Network Must be Secure
- Network Must be Redundant and Survivable
- Systems Should Enhance Public Access
  - Systems Should be Interactive
  - Systems Should Enhance Democratic Process
  - Technology Should Supplement (but not replace) Human Interaction
  - Networks Should be Available in Physical Sense to Citizens
- Staffing Issues
- Infrastructure Management



Community Needs

- Widest Possible Access
- Establish Health and Safety Principles
- Enhance Economic Vitality
- Voice at the Federal and State Level
- Expandable telecommunications Infrastructure
- Scalable telecommunications Infrastructure
- Technology That Supports:
  - Disabilities
  - Diverse Cultures
  - Many Languages
  - Neighborhood Needs
- Provide Support for Business Vitality
  - Regulatory Policies
  - Appropriate Network Development
- Support for a Multimedia Entrepreneurial Business Community
- Community Needs to be Served by Multiple, Competitive Providers
- Support for Local Employment and Jobs in Telecommunications Development
- Technology Supporting Ecology and Quality of Life





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**Department of Telecommunications and Information Services  
City and County of San Francisco**

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## NOTICE

### REGULAR MEETING OF THE

### TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, December 15, 1997, at 5:30 P.M.  
The War Memorial Building  
401 Van Ness Avenue, Room 410

### AGENDA

1. **CALL TO ORDER AND ROLL CALL**

E. David Ellington, President  
Jan Masaoka, Vice President  
Commissioner Ernest Jackson  
Commissioner Bonnie Engel  
Commissioner John Lira

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2. **APPROVAL OF THE MINUTES**

Adoption of the Minutes of the November 17, 1997, Regular Meeting of the Telecommunications Commission.

-Public Testimony.

3. **COMMUNICATIONS**

4. **COMMISSIONERS' AND DIRECTORS' REPORTS**

A. Staffing Update: Deputy Director positions for Planning, Policy, and Compliance; Maintenance and Service; Network Services; Applications Development. Commissioner Ernest Jackson and Jane Rubin, Deputy Director of Administration.

-Public Testimony.

5. **NEW BUSINESS**

A. Michael Sechman & Associates

-Public Testimony

6. **OLD BUSINESS**

A. Telecommunications Plan Update

-Public Testimony

B. PEG Issues. Commissioner Bonnie Engel and Edward Harrington, Acting Director, DTIS and City Controller.

-Public Testimony.

7. **CALENDAR MATTERS**

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

2 )  
Telecommunications Commission

December 15, 1997

Page 3

**COMMUNICATIONS**

1. Resolutions for consideration by the Telecommunications Commission. Submitted by PEG providers on 12/10/97.

## **SUNSHINE ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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## **DISABILITY ACCESS**

Room 410 is wheelchair accessible. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness, #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142. There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. Assistive listening devices are available for use and the following services are available upon request 48 hours in advance of this meeting. For American Sign Language interpreters, use of a reader during a meeting or a large-print copy of an agenda, contact Tripta Gupta at (415) 554-0802.

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## RESOLUTIONS

### 1. GOVERNANCE

Be it resolved that a Steering Committee will be established to coordinate cooperative use of all San Francisco Public, Education, and Government (PEG) Cable Access facilities and equipment.

The primary functions of the PEG Steering Committee are:

- a. To develop consensus for the shared use of all San Francisco PEG facilities, equipment, and resources.
- b. Continue the momentum of channel resource and facility sharing.
- c. Make financial recommendations for PEG funding to the Telecommunications Commission and the Board of Supervisors.
- d. Identify opportunities for PEG.
- e. Seek additional PEG funding through both philanthropic and corporate grants.

The PEG Steering Committee will be comprised of no more than eight members: two persons representing each of the PEG channels and one or two members of the Telecommunications Commission or the City and County of San Francisco. The Telecommunication Commission president will appoint one or more Commission members to serve. The Steering Committee will meet monthly, or as is deemed necessary.

Community or constituent advisory boards or committees will be established by each of the PEG channels and will meet four times each year, or as deemed necessary.



## 2. CTC

In the interest of the prompt inauguration of the new public access facilities, the Commission recommends that DTIS and the City Attorney's Office begin forthwith to negotiate with the CTC, to create a contract for the management of public access, for terms of no less than four years for public access, the final contract to be executed no later than February of 1998. This should include the payment, to the CTC, of the \$75,000 TCI public access transition grant. The Commission recommends to the Board of Supervisors that the Board, pursuant to Section 27.3 (a) of the amended franchise, by February or March of 1998, notify TCI that the date for transfer of management from TCI to CTC shall be July, 1998. Recognizing the possibility that public access cannot be operationally transferred in full by July 1, 1997,\* the Commission recommends that the Board of Supervisors delegate authority to the Controller and City Attorney, to negotiate with TCI to secure, if possible, a temporary bridge arrangement for use of some or all of the existing public access facilities, for a short a period as necessary until full transfer can be accomplished. It may also be necessary for the City to provide additional funding for the public access center build out and rent in a new facility if it is not located in a city owned building.

\*The CTC is willing to move this date forward if adequate transition facilities can be identified for office, studio, production, and equipment checkout.



### 3. ALLOCATION OF FUNDS

The Commission intends to investigate what would be the appropriate level of support for access, in consultation with the PEG Steering Committee and as part of the City's Telecommunications Master Plan. We further recommend that the Commission and the Board of Supervisors hold public hearings on PEG funding needs.

With regard to the TCI PEG grants and access fund, the Commission recommends that the following allocation be followed beginning on or before July 1, 1998\*:

#### OPERATIONS FUNDS

##### Available Operations Funds:

\$225,000.00	1/2 TCI Operations Grant for 1998
<u>\$144,000.00</u>	Access Fund (Estimated)
<u>\$369,000.00</u>	<b>TOTAL</b>

#### CAPITAL FUNDS

##### Available Capital Grant Funds:

\$750,000.00	TCI Capital Grant 1996
\$7,000.00	TCI Capital Grant 1997
\$7,000.00	TCI Capital Grant 1998
<u>\$100,000.00</u>	TCI Capital Grants to City for 1997 - 1998
<b>\$864,000.00</b>	<b>TOTAL</b>

#### DISTRIBUTION OF OPERATIONS FUNDS

##### For Public Access to CTC

\$177,000.00	TCI Operations Grant for 1998
<u>\$48,000.00</u>	Access Fund for CY 1998
<b>\$225,000.00</b>	<b>TOTAL</b>

#### DISTRIBUTION OF CAPITAL FUNDS

##### For Public Access to CTC:

<b>\$764,000.00</b>	TCI Capital Grant
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##### For Education Access to CCSF/SFUSD

\$48,000.00	TCI Operations Grant for 1998
<u>\$48,000.00</u>	Access Fund for CY 1998
<b>\$96,000.00</b>	<b>TOTAL</b>

##### For Education Access to CCSF/SFUSD

<b>\$100,000.00</b>
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##### For Government Access

\$48,000	Access Fund for CY 1998	<b>\$0.00</b>	**
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##### For Government Access

\*The CTC is willing to move this date forward if adequate transition facilities can be identified for office, studio, production, and equipment check-out.

\*\*Approximately \$70,000 in new equipment was purchased for the government channel within the past six months. This will provide for the relocation, automation, and upgrades of the the channel. Also, additional television facilities are being planned for City Hall to be funded by other City sources.



#### **4. INCREASE IN FUNDING**

The Commission recommends that the 0.2% of the cable franchise fee known as the Cable Access Development and Programming Fund continue to be divided between the three PEG stations on an equal basis and that the Board of Supervisors consider, as part of the FY 1998/99 budget process, increased access funding to make up significant shortfalls in access operational and capital funding projected by the PEG providers over the next four years. The Commission finds that the historic apportionment of one-twenty-fifth of the franchise fee for all access, even as augmented by the capital and operating grants negotiated under the amended franchise, is inadequate to fund access.



5/97

# TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## MINUTES

MONDAY, DECEMBER 15, 1997  
THE WAR MEMORIAL BUILDING  
401 VAN NESS AVENUE  
ROOM 410

REGULAR MEETING  
5:30 P.M.

DOCUMENTS DEPT.

COMMISSIONERS

JAN 15 1998

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E. David Ellington, President  
Jan Masaoka, Vice President  
Ernest Jackson  
Bonnie Engel  
John Lira

Edward Harrington  
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES

Tripta Gupta  
Acting Commission Secretary



## **ORDER OF BUSINESS**

### **1. Call to Order and Roll Call**

The meeting was called to order by President Ellington at 5:30 P.M.

**Present:**      E. David Ellington  
                    Bonnie Engel  
                    Ernest Jackson  
                    John Lira

**Excused Absence:** Jan Masaoka

### **2. Approval of Minutes**

Commissioner Engel made an amendment to the minutes of the November 17, 1997 meeting, page 5, paragraph 2, sentence 6, to replace the words "Park Service" with "Fort Mason Center." The minutes as amended were adopted unanimously.

### **3. Communications**

There was no public comment or Commission action.

### **4. Commissioners' And Directors' Reports**

#### **A. Staffing Update: Deputy Directors for Planning, Policy and Compliance; Maintenance and Service; Network Services; Applications Development. Commissioner Ernest Jackson and Jane Rubin, Deputy Director of Administration.**

Commissioner Jackson reported that after an interview process, four candidates have been identified and submitted to the Mayor. Pending background checks and other reviews, he is confident that the appointments will be in place by the time of the next meeting of the Commission.

Jane Rubin, Deputy Director for Administration, reported that Laura Devereaux, the Secretary to the Commission, resigned in mid November without notice to the Department. This position will be filled as soon possible. Ms. Rubin introduced Tripta Gupta, a secretary in the Department of Telecommunications and Information Services, who had kindly volunteered to staff this meeting and take minutes. President Ellington welcomed Ms. Gupta and thanked her for volunteering.



President Ellington asked the Commissioners if they had any comments. There were none.

## 5. OLD BUSINESS

### A. **Telecommunications Plan Update**

Julia Friedlander, Deputy City Attorney, said that in response to the request made by the Commission in the special meeting of December 6, she prepared a proposed schedule of Commission meetings over the coming twelve months to address the Telecommunications Plan. The schedule was prepared in conjunction with the consultants, Media Connections Group (MCG). The schedule provides for a series of presentations both by department staff and by the consultants to provide the Commission with a common information base to help guide policy discussions.

Ms. Friedlander stated that the schedule provides for discussion of key issues and for an interim report. For example, item number three in March is an action item to adopt a vision statement and principles which will be referred to the Mayor and the Board of Supervisors as a first element of the Telecommunications Plan, rather than waiting until the end of the process. This schedule provides for a series of early airings of issues to provide for communication between the consultants and the Commission during the course of the process rather than waiting until the draft report is issued by the consultants.

The first presentation in January is about the current status of policies that govern wireless sitings in San Francisco, Federal law that affects the City's decision in this area, and health issues related to radio frequency radiation, etc., and the request from the Planning Commission for the Telecommunications Commission's guidance. Two products are envisioned before the final report in December 1998: 1) vision and principle statement, and 2) the response to Planning Commission's request for advice.

Commissioner Engel asked Ms. Friedlander if she and the consultants are assuming that the Cable TV question will be somewhere in the development of the telecommunications infrastructure addressed in May/ July.

Ms. Friedlander responded that the RFP does not specifically focus on the PEG channels or issues, but will address the uses to which the Cable TV system might be put for public purposes.

Commissioner Engel also asked if 911 was a part of the plan at all.

Mr. Harrington replied that the plan will not be looking at the specifics of 911 deployment; but will be looking at both Cable TV and 911 in terms of how they benefit the City in total.



Commissioner Lira referred to the action item in December 1998, and asked if the assumption is that we will be changing the date of when we are delivering the Telecommunications Plan. Ms. Friedlander responded that there is such an assumption and that the most appropriate way is to ask the Board of Supervisors to officially extend the delivery date. If this calendar looks appropriate to the Commission, staff will prepare a letter for the Commission President asking the Board to extend the delivery date of the plan to December 1998.

President Ellington reminded those present that the document is not the calendar for the Telecommunications Commission for the next year. It is a calendar for the Telecommunications Plan. In the coming months, the Commission will be handling a number of issues regularly such as 911, Cable issues, IT in general, and others. As a direct result of the concerns expressed by the public about health and safety, the lead items in January include health issues and an inventory of current wireless facilities. The Commission will be working with the Planning Commission.

President Ellington invited comments on the Telecommunication Plan.

#### **Public Testimony**

Margie Marks of the Communications Workers of America said that she is pleased to see "universal access" in the Telecommunications Plan. Universal Access is part of the mission statement of their organization. She said that they have members who are skilled and have the desire to help the community. She asked that these people not be forgotten as a part of the plan, and be looked at as an asset to the City.

John Bardis protested the extension of the deadline for completion of the Plan by twelve months. He said that the public did not receive clear notice about the Commission's plan to approach the Board for an extension.

Tracey Hughes, a resident of Noe Valley, expressed concern that if the Telecommunications Plan is going to be delayed, there would be a free-for-all in the siting and erecting of cellular antennas.

President Ellington clarified the following four points: 1) The Telecommunications Commission does not make policy for site allocations. That is the function of the Planning Commission; 2) This Commission is a an advisory body which can make recommendations to the Board of Supervisors and the Mayor; 3) At no point is it a part of the Commission's mandate to decide on cell site locations in the City. 4) There is some misunderstanding that City officials are waiting for the Telecommunications Plan to decide where cell sites should be placed in the City. It is the Planning Commission which makes determinations. The Telecommunications Plan will deal with a host of issues in the City such as the 911 system, PEG access, Cable TV, that may include some cellular siting strategy, but the Telecommunications Commission is not driving the issue.



Ms. Friedlander attempted to clear up some of the public confusion about the two different plans. She said that the Telecommunications Plan is not the same thing as the Telecommunications Facilities Element of the City's Master Plan, which the Board of Supervisors has asked the Planning Commission to develop. In January, the Planning Commission will be defining what aspect of the plan they would like this Commission's guidance and advice on. Ms. Friedlander suggested to the Commission that they might continue to the January meeting the decision whether to seek the Board's approval to extend the deadline for this Commission's Telecommunications Plan to December 1998 in order to avoid any concerns under the Brown Act.

President Ellington asked if there were any comments.

John Bardis said that he would like to see the Ordinance that has given the Planning Commission the authority for the Telecommunications Facilities Element of the City's Master Plan.

Ms. Friedlander said that sometime in end of Summer 1996, a moratorium on cell siting was adopted in San Francisco to await the development of a telecommunications facilities element of the City's Master Plan. The Ordinance that created the Telecommunications Commission calls for a Telecommunications Plan which is a much broader plan. Background will be provided at the January meeting as to what has happened to date to help define to what degree these two plans overlap, and to identify where the Planning Commission is looking for this Commission's guidance.

Giselle Quezada, Telecommunications Workers of America, said that they keep coming to this Commission out of frustration because they keep getting bounced around. Companies such as Sprint continue to put up antennas and nothing has been done about this.

**B. PEG issues. Commissioner Bonnie Engel and Edward Harrington, Acting Director, DTIS, and City Controller.**

Commissioner Engel gave an update on what had happened so far on these issues. The providers' resolutions have been reworked as requested by Commissioner Masaoka and Mr. Harrington for further clarification. She asked a representative from the PEG providers to discuss the resolutions with the Commission.

Zane Blaney, Executive Director of SFCTC, said that the four resolutions submitted to the Commission reflect action items the providers are asking the Commission to act on and forward to the Board of Supervisors. The first resolution asks for approval to create a steering group to coordinate and facilitate the shared use of PEG facilities. The second resolution asks the City to contract with CTC to manage public access, freeing up some of the funds that were designated for the transition of public access from the Cable operator (TCI) to the non-profit. The third resolution deals with the proposed allocation



of TCI funds that are currently available. The fourth resolution deals with urging the Board of Supervisors to consider an increase in the City's contribution to PEG channels.

President Ellington raised questions about the distribution of operating funds when there are no facilities identified. Mr. Blaney responded that they have previously provided budget information to the Commission in various forms, and that they are willing to submit this again in any format that the Commission desires. President Ellington said that what we need is one package of information that will provide the details of how these funds will be used.

Mr. Harrington inquired if the providers are asking the Board to establish the steering committee (Resolution #1) or if the Commission is to establish the steering committee.

Commissioner Engel clarified that the steering committee would be set up by the Telecommunications Commission, and it would report to the Commission.

Mr. Harrington made a recommendation on the last sentence of resolution #1; to change "will" to "should." There were no objections to this amendment.

Regarding resolution #2, Mr. Harrington noted that "July 1997" should be corrected to, "July 1998." He also recommended that there should be an explanation on how \$75,000 will be spent.

Dr. Jacqueline Shadko, Dean, School of Liberal Arts at City College, addressed the Commission in response to Commissioner Lira's question about the allocation to Educational Access. She said that there is complete agreement among all PEG providers that the largest portion of money should go to Public Access to get them off the ground. The additional \$48,000 would be used by the Education Access to expand the current coverage and staffing. The Capital allocation of \$100,000 would serve to make the current studio in the building where Channel 52 is housed operational, and then the studio could be used by all PEG providers.

Commissioner Lira inquired as to whether the Commission had enough substantive information to present the resolutions to the Board of Supervisors if it were to make a decision tonight.

Mr. Harrington suggested that the Commission could pass a motion to recommend to the Board the allocation of the funds and ask staff to attach an expenditure breakdown of the funds with the package that goes to the Board.

Mr. Harrington inquired about the search for a facility site. Mr. Blaney reported that they have looked at a couple of potential facilities - one in the Mission and the other in Fort Mason. He said that at any site the acquisition cost would likely be \$1 - \$1.20 per square foot, and the build out cost would be approximately \$80 per square foot.



Commissioner Lira suggested that the facilities cost could be a separate issue. Mr. Harrington and Mr. Blaney agreed to work on preparing budget estimates.

John Bardis objected to the way the Commission dealt with the PEG budgets. He said that the public was not noticed a week before the meeting about the resolutions.

Commissioner Engel asked if there were any other public comments.

Sally Fifer introduced her organization, Bay Area Video Coalition, a non-profit media arts center which offers a low cost access to equipment and technical training. She offered the Center's support to the PEG providers and asked for support from the Commission.

Mr. Harrington proposed additional suggestions in the resolutions. In the 3rd resolution, first paragraph, he suggested changing "intends" to "is willing"; placing a period after "...Steering Committee"; and deleting, "the Commission and".

Mr. Harrington also responded to Mr. Bardis' comment and said that these resolutions were attached to the agenda that went out, and these resolutions had minor adjustments made today during the discussion.

Mr. Harrington suggested the Commission adopt these resolutions and direct staff that when these resolutions are forwarded to the Board, additional materials provided by CTC regarding the spending of the funds should be included.

Commissioner Engel asked Mr. Harrington to also add recommendations from the Controller's Office.

Cheryl Fabio-Bradford, Station Manager at Channel 52, encouraged Mr. Harrington and the Commissioners to include financial details from the Educational Access providers also.

Commissioner Engel asked if the originators of these resolutions accept Mr. Harrington's changes. Everyone agreed.

Commissioner Engel made a motion that the Telecommunications Commission accept in principle the four resolutions put before the Commission by the PEG consortium, pending working to develop the budget data to the satisfaction of the Controller and putting the resolutions into language that is appropriate for submittal to the Board of Supervisors. Commissioner Jackson seconded the motion. The motion was approved unanimously by the Commissioners present.

Commissioner Engel asked Mr. Harrington to notify the Commission of the process and the timing for submittal to the Board of Supervisors.



6. **NEW BUSINESS:**

A. **Michael Sechman & Associates**

Mr. Michael Sechman showed a video of a virtual construction of San Francisco created by his company. It was created for business purposes but could be used for community activities and for various areas of City planning. The project is estimated to cost \$10 - \$12 million and is envisioned as a joint venture of City and business entities.

President Ellington said that the Commission's primary task is to focus on the Telecommunications Plan. Once that is developed, entrepreneurial activities might be considered in the plan.

President Ellington asked if there were any comments. There were none.

7. **Calendar Matters**

Since Monday, January 19, the date for the next regular meeting of the Commission is the Martin Luther King Holiday, the meeting will be held on Tuesday, January 20, at 5:30 P.M.

8. **Public Comment**

None

9. **Adjournment**

The meeting was adjourned at 7:20 P.M.

Respectfully submitted,

Tripta Gupta  
Tripta Gupta, Acting Secretary

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